

## DISTRICT PLAN TEXT AMENDMENTS

Key:

For the purposes of this plan change, any unchanged text is shown as normal text or in **bold**, any text proposed to be added by the plan change is shown as **bold underlined** and text to be deleted as ~~bold strikethrough~~.

Text in **bold black underlined** is that from Schedule 3A of the Resource Management Act and must be included.

Text in **bold purple underlined** indicates text recommended in the s42A report to be added and text in ~~bold purple strikethrough~~ text recommended in the s42A report to be deleted. Text in normal black font with purple underline indicates text that was proposed to be deleted in the notified PC14 and is recommended to be reinstated.

Text in green font identifies existing terms in Chapter 2 – Definitions. Where the proposed change contains a term defined in Chapter 2 – Definitions, the term is shown as **bold underlined text in green** and that to be deleted as ~~bold strikethrough in green~~. New definition in a proposed rule is **bold green text underlined in black**.

Text in **black/green shaded in grey** is a Council Decision subject to appeal.

Text in blue font indicates links to other provisions in the district Plan and/or external documents. These will have pop-ups and links, respectively, in the on-line Christchurch District Plan.

## Chapter 8 Subdivision, Development and Earthworks

### 8.1 Introduction

- a. This Introduction is to assist the lay reader to understand how this chapter works and what it applies to. It is not an aid to interpretation in a legal sense.
- b. This chapter relates to **subdivision, development** and **earthworks** that may occur throughout the city. In addition to managing **subdivision**, the objectives, policies and rules of this chapter also **manage development where there are infrastructure constraints and** manage **earthworks**, which are necessary to facilitate **subdivision**, development, the provision of **utilities**, hazard mitigation and the **repair** of land damaged by the earthquakes.
- c. The provisions in the chapter give effect to the **Chapter 3 Strategic Directions objectives**.
- d. The lay reader will observe that, by comparison with other parts of this Plan, provisions of this chapter (particularly its rules) are significantly more detailed and prescriptive. That is a necessary aspect of ensuring **subdivision** consent processes properly integrate with **Council** infrastructure programming and funding and legal processes for securing title to subdivided land.
- e. The principal purpose of **subdivision** is to provide a framework for land ownership so that development and activities can take place. **Subdivision** is of strategic significance and plays an important role in determining the location and density of development and its impact on the character of both rural and urban areas. It provides a physical framework that reflects and implements urban growth, form and structure policies, and enables activities to be carried out as anticipated by the zone provisions in the various areas covered by the **District Plan**. Because **subdivision** enables intensification, the impacts of it are often irreversible, so it requires careful planning.
- f. The **subdivision** process regulates the provision of services for development and activities, including

reserves, network infrastructure and community infrastructure. The adverse effects of activities are generally controlled by the provisions for each zone. However, some potential effects of those activities that may be undertaken on sites are most appropriately managed at the time of subdivision. For example, earthworks, and the formation of vehicle access, may have an impact on the amenity values of an area, and the most effective means of addressing such effects may be conditions of consent.

- g. The subdivision of land to create sites on undeveloped land creates expectations and property rights. It requires consideration of the need for public open spaces, reserves, community infrastructure and connections to and servicing by other infrastructure. Cost-effective servicing by infrastructure is an important consideration for greenfield developments. However, infrastructure servicing and access can also be an issue for the subdivision of already developed land. A significant reason for that is the considerable damage to public infrastructure caused by the earthquakes of 2010 and 2011. Those events resulted in parts of the City having limited ability to service new development pending further capital investment on improvements. **In areas served by vacuum sewer systems the capacity is limited, which may restrict what further development is possible.**
- h. The Council's Development Contributions Policy (made under the Local Government Act 2002) is one method by which these servicing issues can be addressed, in addition to controls provided for through this Chapter 8. The Development Contributions Policy provides for development contributions to be levied for any subdivisions that generate a demand for reserves, network infrastructure, or community infrastructure (excluding the pipes or lines of a network utility operator).
- i. The process of subdividing land provides an appropriate opportunity to consider a variety of issues including natural and other hazards in terms of the suitability of subdivided land for anticipated land uses, the provision of reserves and esplanade reserves. It allows for consideration of the potential for reverse sensitivity effects, or other ways in which new land uses may conflict with existing activities.
- j. The subdivision process is also a means by which Ngāi Tahu cultural values can be recognised and provided for as set out in Chapter 1 and Sub-chapter 9.5.

## 8.2 Objectives and policies

### 8.2.1 Objectives and policies – Chapter 9 Natural and Cultural Heritage

Advice note:

- 1. Reference should also be made to the objectives and policies in Chapter 9 Natural and Cultural Heritage.

### 8.2.2 Objective – Design and amenity ~~and the Meadowlands Exemplar Overlay~~

- a. An integrated pattern of development and urban form through subdivision and comprehensive development that:
  - i. provides allotments for the anticipated or existing land uses for the zone;
  - ii. consolidates development for urban activities;
  - iii. improves people's connectivity and accessibility to employment, transport, services and community facilities;

- iv. improves energy efficiency and provides for renewable energy and use; and
- v. enables the recovery of the district.
- b. ~~A comprehensively planned development in the Meadowlands Exemplar Overlay in the Residential New Neighbourhood Future Urban (North Halswell) Zone that is environmentally and socially sustainable over the long term.~~

#### 8.2.2.1 Policy—Recovery activities

- a. ~~Ensure that subdivision processes enable recovery initiatives including by facilitating:~~
  - i. ~~subdivision of greenfield and intensification areas;~~
  - ii. ~~the issue of fee simple title where the following permitted or approved initiatives occur:~~
    - A. ~~conversion of a residential unit into two residential units;~~
    - B. ~~conversion of a family flat into a residential unit;~~
    - C. ~~replacement of a residential unit with two residential units;~~
    - D. ~~comprehensive development using the Enhanced development mechanism; or~~
    - E. ~~comprehensive development using the Community housing redevelopment mechanism;~~
  - iii. ~~conversion of the type of tenure from a cross lease or unit title to fee simple; and~~
  - iv. ~~subdivision of a cross lease or unit title site arising from the updating of a flat plan or unit plan;~~
- b. ~~Recognise that quarrying and other interim activities may be a suitable part of preparing identified greenfield priority areas for urban development, provided that their adverse effects can be adequately mitigated and they do not compromise use of the land for future urban development.~~

#### 8.2.2.21 Policy – Design and amenity / Tohungatanga

- a. Ensure that subdivision:
  - i. incorporates the distinctive characteristics of the place’s context and setting;
  - ii. promotes the health and wellbeing of residents and communities; and
  - iii. provides an opportunity to recognise Ngāi Tahu culture, history and identity associated with specific places, and affirms connections between manawhenua and place, particularly with sites of Ngāi Tahu cultural significance identified in [Appendix 9.5.6](#).

#### 8.2.2.32 Policy – Allotments

- a. Ensure that the layouts, sizes and dimensions of allotments created by subdivision are appropriate for the anticipated or existing land uses.
- b. In residential subdivisions ~~(outside the Central City)~~, provide for:
  - i. a variety of allotment sizes to cater for different housing types and affordability;
  - ii. the conversion from a cross lease or unit title to fee simple;
  - iii. subdivision of a cross lease or unit title site arising from the updating of a flat plan or unit plan.

#### **8.2.2.43 Policy – Identity**

- a. Create or extend neighbourhoods which respond to their context and have a distinct identity and sense of place, by ensuring that **subdivision**, where relevant:
  - i. incorporates and responds to existing **site** features (including trees, natural drainage systems, **buildings**), cultural elements and values and **amenity values** (including by taking advantage of views and outlooks);
  - ii. incorporates public spaces that provide opportunities for formal and informal social interaction;
  - iii. has a pattern of development that responds to the existing **and planned** urban context;
  - iv. is designed with a focus on the use of open space, **commercial centres**, **community facilities**, and the use of views;
  - v. outside the **Central City**, in addition to iv., is designed with a focus on density, **roads**, land form, stormwater facilities and, in the **Residential New Neighbourhood Future Urban** Zone, development requirements in an **outline development plan**, as **key structuring elements**; and
  - vi. incorporates and responds to Rangatiratanga – the expression of te reo kawa, tikanga, history, identity and the cultural symbols of Ngāi Tahu.

#### **8.2.2.54 Policy – Sustainable design**

- a. Enable resource efficiency, use of renewable energy, and community safety and development, by:
  - i. ensuring that the blocks and **allotments** maximise solar gain, including through orientation and dimension;
  - ii. providing a development pattern that supports walking, cycling and public transport; and
  - iii. ensuring visibility and interaction between private and public spaces, and providing well-lit public spaces.

#### **8.2.2.65 Policy – Integration and connectivity**

- a. Ensure effective integration within and between developments and existing areas, including in relation to **public open space** networks, infrastructure, and movement networks.
- b. Ensure that the **boundaries** between new and existing developments are, where appropriate, managed to avoid or mitigate adverse effects.
- c. Outside the **Central City**, avoid significant adverse effects and remedy or mitigate other adverse effects on existing businesses, rural activities or infrastructure.

#### **8.2.2.76 Policy – Open space**

- a. Ensure, where appropriate, the provision and development of **public open space** networks which:
  - i. are **accessible** and safe and provide for various forms of recreation, including active recreation, for the health and wellbeing of communities;

- ii. outside the **Central City**, are within 400m of new residential **allotments** in **greenfield** and **brownfield** areas;
- iii. recognise the landscape and natural features in the wider area and link or connect to other green or open space, **community facilities**, **commercial centres**, areas of higher density residential development, landforms and **roads**;
- iv. recognise and protect values associated with significant natural features and significant landscapes, and protect or enhance ecological function and biodiversity;
- v. reinforce and uphold the Garden City landscape character of urban **Christchurch City** and the heritage landscapes and plantings of **Banks Peninsula** townships and settlements;
- vi. provide access to heritage places and natural and cultural landscapes including the coastline, lakes and waterways and **wetlands**; and
- vii. strengthen the relationship that Ngāi Tahu and the community have with the land and water, including by protecting or enhancing natural features, customary access, mahinga kai and **sites of Ngāi Tahu cultural significance** identified in **Schedule 9.5.6.1**, and by recognising other **sites of Ngāi Tahu cultural significance** identified in **Appendix 9.5.6** where practicable.

### 8.2.2.87 Policy – Urban density

- a. **Encourage Ssubdivision** in the **Residential Medium Density Residential Zone** **mustto** enable development which achieves a net **density yield** of at least 30 households per hectare.
- b. In the **Residential New Neighbourhood Future Urban** Zone residential development areas:
  - i. a minimum **net density** of 15 households per hectare shall be achieved when averaged across the whole of the residential development area within the relevant **outline development plan**, except: **in areas shown on an outline development plan as being subject to development constraints**
    - A. in the Residential New Neighbourhood (Prestons) Zone a minimum net density between 13 and 15 households per hectare shall be achieved; and**
    - B. in areas shown on an outline development plan as being subject to development constraints;**
  - ii. any **subdivision**, use and development which results in a residential **net density** lower than the required density shall demonstrate, through the use of legal mechanisms as appropriate, that the residential **net density** required across residential development areas of the **outline development plan** can still be achieved; and
  - iii. except as provided for in **(ii)** above, where an application is made for **subdivision** that would not achieve the required residential density, **Council** will regard all owners of **greenfield** (undeveloped) land within the **outline development plan** area as affected parties.
- c. In the **Residential New Neighbourhood Future Urban** Zone, encourage higher density housing to be located to support, and have ready access to, **commercial centres**, **community facilities**, public transport and open space, and to support well-connected walkable communities.
- d. **Encourage Ssubdivision** in the **Residential Central City Zone High Density Residential Zone** **mustthat** enables development which achieves a net **density yield** of at least 50 households per hectare.

### 8.2.2.98 Policy — Outline development plans

- a. An **outline development plan** (as relevant) must demonstrate that:
- i. land uses will be distributed in a way that is consistent with [Policy 8.2.2.87](#);
  - ii. land for community uses will be provided in locations convenient to the community and of an adequate size to serve the intended population;
  - iii. adequate infrastructure capacity will be available to service the intended population and/or business activities;
  - iv. infrastructure and transport connections will be integrated effectively with networks in neighbouring areas, and with **strategic infrastructure**;
  - v. infrastructure and transport connections through the **outline development plan** area will support co-ordinated development between different landowners;
  - vi. natural hazards will be managed in an integrated way across the area; and
  - vii. significant natural and cultural heritage features, **sites of Ngāi Tahu cultural significance** identified in [Schedule 9.5.6.1](#), and the quality of surface water and groundwater, will be protected;
- and where required to give effect to the [Canterbury Regional Policy Statement](#) Policy 6.3.3, include the necessary information set out in that policy.
- b. Information in **outline development plans**:
- i. should be presented in the form of one or two plans that show a distribution of land uses, infrastructure and transport networks and connections, areas set aside from development and other land use features; and
  - ii. may include an accompanying narrative that:
    - A. is concise and addresses matters in [Policy 8.2.2.98\(a\)](#) and any matters required to give effect to the [Canterbury Regional Policy Statement](#) Policy 6.3.3 that cannot be shown on the plans;
    - B. describes the context and provides guidance on the outcomes sought;
    - C. specifies development requirements that must be achieved to be considered as being in accordance with the **outline development plan**; and
    - D. states any staging requirements that give consideration to the provision, funding, implementation and operation of new and upgraded infrastructure and will guide infrastructure planning processes of the **Council** and other network providers.
- c. **Subdivision**, use and development shall be in accordance with the development requirements in the relevant **outline development plan**, or otherwise achieve similar or better outcomes.
- d. Any quarrying or other interim activity shall not compromise the timely implementation of, or outcomes sought by, the **outline development plan**.

### 8.2.2.109 Policy – Comprehensive Residential Development

- a. In the ~~Residential New Neighbourhood~~ **Future Urban** Zone, encourage comprehensive residential developments that are in accordance with the relevant outline development plan as a means of achieving co-ordinated, sustainable and efficient development outcomes.

### 8.2.2.110 Policy – Access to waterways / Mana whakahaere

- a. Provide for appropriate public access and customary access to and along the margins of rivers, lakes, waterways and the coastline, including through esplanade reserves and strips, except in respect of Lyttelton Port of Christchurch where such provision is inappropriate due to the necessity to ensure public safety and the security of adjoining cargo and adjoining activities.

### ~~8.2.2.1211 Policy – Meadowlands Exemplar Overlay comprehensive development~~

- ~~a. Ensure that the Meadowlands Exemplar development is comprehensively planned and designed through development of, and giving effect to, an overarching vision that:~~
  - ~~i. responds positively to the local context of each area;~~
  - ~~ii. produces short and long term positive environmental, social, and Manawhenua outcomes;~~
  - ~~iii. fully integrates subdivision layout with potential land use;~~
  - ~~iv. integrates residential development with the supporting range of local community facilities and services that support residents' daily needs;~~
  - ~~v. achieves an efficient and effective staging of the provision and use of infrastructure, stormwater management networks, parks, and open space networks that is integrated with land use development;~~
  - ~~vi. provides good access to facilities and services by a range of transport modes through the provision of integrated movement networks of roads, public transport, cycle, and pedestrian routes;~~
  - ~~vii. shows infrastructure and movement routes that are fully integrated with existing adjacent communities and enables connectivity with other undeveloped areas;~~
  - ~~viii. avoids or adequately mitigates risks from natural hazards and geotechnical characteristics of the land;~~
  - ~~ix. remediates contaminated land;~~
  - ~~x. utilises opportunities to enhance tangata whenua values, particularly indigenous biodiversity and mahinga kai;~~
  - ~~xi. recognises Ngāi Tahu cultural and traditional associations with the Otautahi landscape; and~~
  - ~~xii. avoids interim land use and development compromising the integrity and viability of infrastructure provision and community development.~~

### 8.2.3 Objective — Infrastructure and transport

- a. **Subdivision** design and development promotes efficient provision and use of infrastructure and transport networks.
- b. A legible, well connected, highly walkable, and comprehensive movement network for all transport modes is provided.
- c. Outside the **Central City**, land is set aside for services which can also be used for other activities, such as pedestrian or **cycle ways**.
- d. **Development and intensification in the areas with vacuum sewer system constraints does not increase wastewater volumes in the existing system, unless it can be accommodated within the existing system capacity.**

#### 8.2.3.1 Policy – Identification of infrastructure constraints

- a. Areas subject to infrastructure capacity constraints will be identified by the **Council** to assist public understanding and decision-making regarding network capacity available to service **subdivision, development** and subsequent land use.

#### 8.2.3.2 Policy — Availability, provision and design of, and connections to, infrastructure

- a. Manage the **subdivision and development** of land to ensure development resulting from the creation of additional **allotments**:
  - i. does not occur in areas where infrastructure is not performing, serviceable or functional; and
  - ii. will be appropriately connected to and adequately serviced by infrastructure, including through any required upgrade to existing infrastructure.
- b. Ensure that new **network infrastructure** provided in relation to, or as part of, **subdivision and development** is constructed, designed and located so that it is resilient to disruption from significant seismic or other natural events including by ensuring that, as far as practicable, damage from such events is minimised.
- c. Ensure that, as part of **subdivision and development**, there is adequate provision, with sufficient capacity, to service the scale and nature of anticipated land uses resulting from the **subdivision or development**, for:
  - i. wastewater disposal, including lawful trade waste disposal for anticipated industrial development, consistent with maintaining public health and minimising adverse effects on the environment;
  - ii. water supply, including water of a potable standard for human consumption, and water for fire fighting purposes;
  - iii. **telecommunication** services including connection to a **telecommunication** system, with new lines being generally underground in new urban areas; and
  - iv. electric power supply, with new lines being generally underground in new urban areas - including, if necessary, ensuring the provision of new or additional or the upgrading of existing infrastructure in a manner that is appropriate for the amenities of the area.



- d. Where wastewater disposal is to a reticulated system, ensure all new allotments are provided with a means of connection to the system.
- e. Where a reticulated wastewater system is not available, ensure appropriate onsite or standalone communal treatment systems are installed.
- f. Promote use of appropriate on-site measures to manage the effects of trade wastes and reduce peak flows and loading on wastewater systems.
- g. **Where subdivision, use or development occurs in the waste water constraint areas, and it is proposed to connect to the vacuum sewer, demonstrate that there is no increase in wastewater volumes from the site as a result or, where there is an increase in wastewater volumes when compared to existing wastewater volumes from the site, there is sufficient capacity in the existing vacuum sewer system to accommodate the additional wastewater flows.**

### 8.2.3.3 Policy – Transport and access

- a. Ensure the provision and development of comprehensive movement networks for all transport modes that:
  - i. are legible, well connected, highly walkable, safe and efficient; and:
  - ii. enable access by people of all ages and physical abilities to public open space facilities, public transport, suburban centres, and community facilities and to move between neighbourhoods and the wider urban area.
- b. Ensure movement networks enable:
  - i. vehicle parking, which in the Central City should be in accordance with the road classification;
  - ii. access to properties, including for fire appliances;
  - iii. street landscaping, including street trees;
  - iv. safety and visibility;
  - v. ease of navigation;
  - vi. surface water management, in relation to movement networks; and
  - vii. utility services.
- c. Ensure that, where road or property access to an existing road is created, the existing road is of an appropriate standard.

### 8.2.3.4 Policy – Stormwater disposal

- a. District wide:
  - i. Avoid any increase in sediment and contaminants entering water bodies as a result of stormwater disposal.
  - ii. Ensure that stormwater is disposed of in a manner which maintains or enhances the quality of surface water and groundwater.

- iii. Ensure that any necessary stormwater control and disposal systems and the upgrading of existing infrastructure are sufficient for the amount and rate of anticipated runoff.
  - iv. Ensure that stormwater is disposed of in a manner which is consistent with maintaining public health.
- b. Outside the **Central City**:
- i. Encourage stormwater treatment and disposal through low-impact or water-sensitive designs that imitate natural processes to manage and mitigate the adverse effects of stormwater discharges.
  - ii. Ensure stormwater is disposed of in stormwater management areas so as to avoid inundation within the **subdivision** or on **adjoining** land.
  - iii. Where feasible, utilise stormwater management areas for multiple uses and ensure they have a high quality interface with **residential activities** or **commercial activities**.
  - iv. Incorporate and plant **indigenous vegetation** that is appropriate to the specific **site**.
  - v. Ensure that realignment of any watercourse occurs in a manner that improves stormwater drainage and enhances ecological, mahinga kai and landscape values.
  - vi. Ensure that stormwater management measures do not increase the potential for **birdstrike** to aircraft in proximity to the airport.
  - vii. Encourage on-site rain-water collection for non-potable use.
  - viii. Ensure there is sufficient capacity to meet the required level of service in the infrastructure design standard or if sufficient capacity is not available, ensure that the effects of development are mitigated on-site.

#### **8.2.3.5 Policy – Adverse effects on infrastructure**

- a. Ensure that the requirements of infrastructure, including their ongoing operation, development and maintenance, are recognised in **subdivision** design, including any potential for adverse effects (including **reverse sensitivity** effects) from **subdivision**.
- b. Ensure that the operation, development and maintenance of the Lyttelton Port is not compromised by **subdivision**, including in relation to **reverse sensitivity** effects.

#### **8.2.4 Objective - Earthworks**

- a. **Earthworks** facilitate **subdivision**, use and development, the provision of **utilities**, hazard mitigation and the recovery of the district.

##### **8.2.4.1 Policy - Water quality**

- a. Ensure **earthworks** do not result in erosion, inundation or siltation, and do not have an adverse effect on surface water or groundwater quality.

#### **8.2.4.2 Policy - Repair of earthquake damaged land**

- a. Facilitate recovery by enabling property owners to make repairs to earthquake damaged land for residential purposes, where the repairs will have acceptable adverse effects on people, property and the natural environment.
- b. Recognise the need for the repair of other earthquake damaged land as part of recovery.

#### **8.2.4.3 Policy - Benefits of earthworks**

- a. Recognise that **earthworks** are necessary for **subdivision**, use and development, the provision of **utilities**, hazard mitigation and the recovery of the district.

#### **8.2.4.4 Policy – Amenity**

- a. Ensure, once completed, **earthworks** do not result in any significant shading, visual impact, loss of privacy or other significant detraction from the **amenity values** enjoyed by those living or working in the locality.

#### **8.2.5 Objective - Earthworks health and safety**

- a. People and property are protected during, and subsequent to, **earthworks**.

#### **8.2.5.1 Policy - Land stability**

- a. Avoid **earthworks** that will create a significant risk to people and property through subsidence, rockfall, cliff collapse, erosion, inundation, siltation or overland flows.

#### **8.2.5.2 Policy - Nuisance**

- a. Subject to [Policy 8.2.4.3](#), ensure that **earthworks** avoid more than minor adverse effects on the health and safety of people and their property, and do not generate continuous or persistent noise, vibration, dust or odour nuisance.

#### **8.2.5.3 Policy - Vehicle movement**

- a. Subject to [Policy 8.2.4.3](#), ensure that the transportation to and from a **site** of earth, construction or **filling** material is safe and minimises adverse transport network and local **amenity value** effects.

#### **8.2.5.4 Policy - Earthworks design**

- a. Ensure that **earthworks** over identified thresholds are designed to enable the anticipated land use.

#### **8.2.5.5 Policy - Management of contaminated land**

- a. Enable **earthworks** where necessary to appropriately manage land contamination.

## **8.2.6 — Objective — Urban tree canopy cover**

- a. ~~Tree canopy cover in areas of residential activities is enhanced through maintaining existing trees and/or planting new trees as part of new residential development to sequester carbon from emissions, reduce stormwater runoff, mitigate heat island effects, and improve the city's biodiversity and amenity.~~

### **8.2.6.1 — Policy — Contribution to tree canopy cover**

- a. ~~Ensure that subdivision and/or development achieves the following tree canopy cover levels at maturity:~~
  - i. ~~For residential subdivision and/or development — 20% of the net site area;~~
  - ii. ~~For residential greenfield and brownfield subdivision and/or development — as for (i), and an additional 15% of the future road area to be vested in Council.~~

### **8.2.6.2 — Policy — The cost of providing tree canopy cover and financial contributions**

- a. ~~Ensure the cost of providing new trees to achieve the tree canopy cover required for the site or the road corridor, preparing appropriate tree pits, providing the necessary land for planting, and initial tree maintenance is met by those carrying out the subdivision and/or development;~~
- b. ~~Require payment of financial contributions that are fair and proportional in lieu of providing the required on-site and/or on-road tree canopy cover to enable off-site tree planting by the Council, as close to the development site as practicable;~~
- c. ~~No financial contribution shall be required where sufficient existing trees, able to achieve the required tree canopy cover at maturity, are retained on the development site or new trees are planted on the development site by the developer or the site owner to achieve the required tree canopy cover.~~

### **8.2.6.3 — Policy — Tree health and infrastructure**

- a. ~~Ensure that trees on the development site are planted in a position appropriate to the tree type and in sufficient soil volume, width and depth to maximise the tree's healthy growth.~~
- b. ~~Where subdivision consents associated with the development of new residential units are granted, consent notices will be issued and registered against the relevant titles requiring that the tree canopy cover levels required are achieved and maintained.~~
- c. ~~Ensure the planting of trees in the future roads of greenfield subdivisions is carried out in accordance with:~~
  - i. ~~the tree pit requirements of the Council's Infrastructure Design Standard to provide sufficient soil volume and avoid damage to the surrounding infrastructure; and~~
  - ii. ~~the needs and requirements of the Council, as the future road owner/manager, including approval of the tree species by the Council arborist.~~

## 8.3 Administration

### 8.3.1 How to interpret and apply the rules

- a. The **subdivision** and **earthworks** rules that apply to activities in all zones are contained in:
  - i. **Rules 8.5 and 8.9** - Activity status tables; and
  - ii. **Rule 8.6** - Activity standards.
- b. The activity status tables and standards in the following chapters also apply to **subdivision** and **earthworks** activities:
  - 4 **Hazardous Substances and Contaminated Land**;
  - 5 **Natural Hazards**;
  - 6 **General Rules and Procedures**;
  - 7 **Transport**;
  - 9 **Natural and Cultural Heritage**; and
  - 11 **Utilities and Energy**.
- c. **Chapter 5** (Natural Hazards) includes specific rules in relation to **subdivision** and **earthworks** in areas subject to natural hazards. **Chapter 4** includes specific provisions relating to **contaminated land**. **Chapter 6** manages **earthworks** within **water body setbacks**. **Sub-chapter 9.4** includes rules for **earthworks**: within the **dripline-tree protection zone radius** of significant trees listed in **Appendix 9.4.7.1**; within 5 metres of the base of trees in parks, **public open space** or **road** corridors in **Christchurch City**, or in Akaroa as shown in **Appendix 9.4.7.4**; or within 10 metres of the base of any tree in the Riccarton Bush Significant Trees area.
- d. The rules in the zone chapters (13-18) do not apply to **subdivision** or **earthworks**, other than **quarrying activities**.
- e. **The tree canopy cover and the financial contributions rules apply to subdivision resulting in one or more new residential allotments in the residential zones, including greenfield areas and brownfield sites subject to comprehensive residential development, in the Christchurch City area of the Christchurch District, and are contained in:**
  - i. **Rule 6.10A - Tree Canopy Cover and Financial Contributions; and**
  - ii. **Rule 8.5.1.2 - Activity Status Tables; and**
  - iii. **Rule 8.7.12 - Matters of Control; and**
  - iv. **Rules 14.4.2 – 14.7.2, 14.9.2, 14.12.2 - 14.14.2 – Residential Built Form Standards.**
- f. **For guidance on tree species, their canopy size at maturity, and planting and maintenance requirements refer to the Council's:**
  - i. **Infrastructure Design Standard (Parts 2 and 10) <https://ccc.govt.nz/consents-and-licences/construction-requirements/infrastructure-design-standards/download-the-ids/> ; and**
  - ii. **Construction Standard Specifications (Part 7) <https://ccc.govt.nz/assets/Documents/Consents-and-Licences/construction-requirements/CSS/Download-the-CSS-2020/CSS-PART-7-LANDSCAPES->**

[2019.pdf](#) .The rules in the zone chapters (13-18) do apply to development and activities in Waste Water Constraint Areas.

### 8.3.2 Subdivision guidance documents

- a. There are a number of guidance documents that assist developers when preparing applications for **subdivision** consent and understanding the required level of service for matters relating to their development and whether these are acceptable to the **Council**. Where conditions are placed on **subdivision** consents within the matters of control or discretion specified in this chapter, such conditions may reference documents, including the following, as a means of achieving the matter of control or discretion:
  - i. Infrastructure Design Standard;
  - ii. Construction Standards Specifications;
  - iii. Stormwater Management Plans; and/or
  - iv. Waterways, Wetlands and Drainage Guide.

Advice note:

1. These documents are not incorporated by reference into the **District Plan**.

### 8.3.3 Development and financial contributions

- a. Where applicable, **development contributions** as set out in the Development Contributions Policy will be required to be paid prior to the issue of a certificate pursuant to section 224 of the **Resource Management Act 1991**.
- b. **Where applicable, financial contributions as set out in Rule 6.10A.4, 8.5.1.2, 8.7.12, built form standards in 14.4.2 – 14.7.2, 14.9.2, 14.12.2 - 14.14.2, and in the Development Contributions Policy, will be required to be paid prior to the issue of a certificate pursuant to section 224 of the Resource Management Act 1991.**

### 8.3.4 Staging of subdivision

- a. A **subdivision** may be completed in stages, provided that each stage meets all of the conditions of approval appropriate to that stage, and that the balance of the **site** remaining after the completion of each stage is a **site** which either complies with the provisions of the Plan or with the conditions of a resource consent.

### 8.3.5 Suitability for proposed land use

- a. Where section 106 of the **Act** applies to any part of the land to be subdivided it is the applicant's responsibility to provide all information relevant to the potential hazard and to show the means by which the land shall be made suitable for the proposed land use, including legal and physical access. Regard should be had to any information held on the **Council's** hazards register. The **Council** shall have regard to any appropriate mitigation measures before issuing the **subdivision** consent, or declining

approval pursuant to section 106. [Chapter 5](#) of this Plan provides for the management of hazards as might be relevant to consideration of an application under section 106.

- b. Where any part of the land contains contamination, it is the applicant's responsibility to provide all relevant information and to show the means by which the land shall be made suitable for the proposed land use. Regard should be had to any information held on the [Council's](#) hazard register and the Listed Land Use Register held by the Canterbury Regional Council (LLUR).
- c. All [subdivisions](#) of land that involve [buildings](#) on or near [allotment boundaries](#) shall comply with the relevant requirements of this Plan and the [Building Act 2004](#).

### **8.3.6 Restricted discretionary subdivision activities**

- a. [Chapter 8](#) includes both matters of control and matters of discretion. The rules are structured so that the [Council](#) can only decline a restricted discretionary activity application in relation to the matters of discretion specified for that purpose for that activity. However, the [Council](#) can also impose conditions on restricted discretionary activity consents in relation to the matters of discretion specified for that purpose for that activity, and which may include matters of control specified to be treated as matters of discretion for that activity.

### **8.3.7 Consent notice**

- a. Where [tree canopy cover](#) is provided in full or in partial fulfilment of [Rule 6.10A.4.1.1](#) and [6.10A.4.2.1](#), a consent notice shall be registered on the title of any [allotment](#) created and containing or proposed to contain a [residential unit](#) to:
  - i. secure the [tree canopy cover](#) requirements specified in [Rule 6.10A.4.2.1](#), [8.5.1.2](#), [8.7.12](#), and built form standards in [14.4.2 – 14.7.2](#), [14.9.2](#), [14.12.2 - 14.14.2](#); and
  - ii. prevent the destruction or removal of any [trees](#) planted to meet the requirements of [Rule 6.10A.4](#), [8.5.1.2](#), [8.7.12](#), and built form standards in [14.4.2 – 14.7.2](#), [14.9.2](#), [14.12.2 - 14.14.2](#); and
  - iii. require maintenance of the [tree/s](#) in accordance with good arboricultural practice, and if a [tree](#) is diseased or dead, require a replacement with a [tree/s](#) capable of achieving equivalent [tree canopy cover](#) at [maturity](#).

## 8.4 Rules — Subdivision General Rules

### 8.4.1 General rules

#### 8.4.1.1 Notification

- a. Unless stated otherwise in this chapter, for applications for **subdivision** consent:
  - i. where the activity is a controlled or restricted discretionary activity, the application shall not be publicly or limited notified, ~~except as specified in clause ii. below;~~
  - ii. ~~where the activity is a restricted discretionary activity and the **subdivision** seeks **access** to a State Highway, limited notification shall be only to the New Zealand Transport Agency (absent its written approval);~~
  - iii. ~~where the activity is a discretionary or non-complying activity, the application may be publicly or limited notified. Where the **subdivision** seeks **access** to a State Highway, the New Zealand Transport Agency shall be notified (absent its written approval).~~

#### 8.4.1.2 Standards for specific zones

- a. Zone-specific standards shall have precedence where there is any inconsistency with the general standards.

#### 8.4.1.3 Servicing constraints

- a. In order to determine the activity status for **subdivision** in relation to Activity standard **8.6.8.b**, the applicant must demonstrate that the wastewater system has adequate capacity for the respective potential land uses on all proposed **allotments**. The **Council** offers a **certification process** as the means of demonstrating such capacity. The certificate will be valid for 6 months and will remain valid during the consenting process (following the lodging of a complete **subdivision** consent application and for the term of the consent). Certification is not necessary where a relevant **outline development plan** shows that adequate wastewater capacity is available for the proposed **allotments**.



## 8.5 Rules – Subdivision Activity status tables Rules - Activity status tables

### 8.5.1.1 Permitted activities

- a. There are no permitted activities.

### 8.5.1.2 Controlled activities

- a. The activities listed below are controlled activities if they meet the relevant standards set out in the following table.
- b. Discretion to impose conditions is restricted to the matters of control set out in the following table, and as set out for those matters in [Rule 8.7](#).
- c. Activities may also be restricted discretionary, discretionary, non-complying or prohibited as specified in Rules [8.5.1.3](#), [8.5.1.4](#), [8.5.1.5](#) and [8.5.1.6](#).

	Activity	Relevant standards	Matters of control
<b>C1A</b>	<b>Boundary adjustments within the Medium Density Residential and High Density Residential Zones</b>	<p>a. <b>Where one or more of the allotments is vacant:</b></p> <p>i. <b>Minimum allotment size requirements shall not apply, providing that the boundary adjustment does not change the existing net site area of the vacant allotment(s) by more than 10%.</b></p> <p>ii. <b>Where the net site area is altered by more than 10%, activity standard 8.6.1 applies.</b></p> <p>b. <b>The boundary adjustment must not result in, or increase, the degree of non-compliance with land use standards of the applicable zone.</b></p> <p><b>Note: Should standard b. not be met then a land use consent will also be required.</b></p>	<a href="#">Rule 8.7.1</a>
<b>C1B</b>	<b>Boundary adjustments within all other zones</b>	<p><del>a. No additional titles are created.</del></p> <p><del>a.b.</del> Minimum allotment size requirements shall not apply providing that the boundary adjustment does not change the existing net site area by more than 10%.</p> <p><b>Where the net site area is altered by more than 10%, activity standard 8.6.1 applies.</b></p>	<a href="#">Rule 8.7.1</a>

	Activity	Relevant standards	Matters of control
		<p><b>eb.</b> The <b>boundary</b> adjustment will not lead to, or increase, the degree of non-compliance with land use standards of the applicable zone.</p> <p><b>Note: Should standard b. not be met then a land use consent will also be required.</b></p>	
<b>C2A</b>	<b>Conversion of tenure in the Medium Density or High Density Residential Zones</b>	<p><b>a. For <del>vacant</del> allotments associated with the conversion of tenure from unit title or cross lease to fee simple:</b></p> <p><b>i. the size of the resulting fee simple title shall be within 10% of the size of the original allotment or leased area, excluding any access.</b></p> <p><b>ii. Where the net site area is altered by more than 10%, activity standard 8.6.1 applies.</b></p> <p><b>b. The conversion of tenure must not result in, or increase, the degree of non-compliance with land use standards of the applicable zone.</b></p> <p><b>Note: Should standard b. not be met then a land use consent will also be required.</b></p>	<a href="#">Rule 8.7.2</a>
<b>C2B</b>	<b>Conversion of tenure for all other zones</b>	<p><del>a. Nil, other than as provided in b. below.</del></p> <p><del>ba.</del> For the conversion of tenure from unit title or cross lease to fee simple: <del>for the repair and rebuild of multi-unit residential complexes,</del></p> <p><b>i. the size of the resulting fee simple title shall be within 10% of the size of the original allotment or leased area, excluding any access.</b></p> <p><b>ii. Where the net site area is altered by more than 10%, activity standard 8.6.1 applies.</b></p>	<a href="#">Rule 8.7.2</a>
<b>C3</b>	Alteration of cross leases, company leases and unit titles	Nil	<a href="#">Rule 8.7.2</a>
<b>C4</b>	Subdivision to create allotments for access, utilities, emergency service facilities, roads and reserves	a. The minimum net site area requirements do not apply.	<a href="#">Rule 8.7.3</a>

<p><b>C5</b></p>	<p>a. <b>Subdivision</b> in any area subject to an <b>outline development plan</b> or development plan <b><u>in the Future Urban Zone</u></b>, except</p>	<p>a. Activity standards in <b>Rules 8.6.1 – 8.6.12</b>.</p> <p>b. The <b>subdivision</b> shall be undertaken in accordance with the relevant <b>outline development plan</b> or development plan, except that:</p> <p>i. in relation to any <b>outline</b></p>	<p>a. <b>Rule 8.7.4</b>; and</p> <p>b. where relevant for industrial zones, <b>Rule 8.7.5</b> (except that in the Industrial General Zone (North Belfast), <b>Rule</b></p>
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	Activity	Relevant standards	Matters of control
	<p>as otherwise specified in:</p> <ul style="list-style-type: none"> <li>i. <a href="#">Rule 8.5.1.2</a> C4, C6, C7;</li> <li>ii. <a href="#">Rule 8.5.1.3</a> RD2, RD4 to RD145;</li> <li>iii. <a href="#">Rule 8.5.1.4</a> D1 to D4; and</li> <li>iv. <a href="#">Rule 8.5.1.5</a> NC1 to NC78.</li> </ul>	<p><b>development plan</b> in a <b>Residential New Neighbourhood Future Urban</b> Zone, the activity shall meet the activity standard in <a href="#">Rule 8.6.11(a)</a>;</p> <ul style="list-style-type: none"> <li>ii. in relation to any <b>outline development plan</b> contained in <a href="#">Chapter 15</a> or <a href="#">Chapter 16</a>, compliance is only required with the <b>key structuring elements</b> for that <b>outline development plan</b> area as described in the relevant chapter.</li> <li>c. In the Industrial Park Zone (Awatea), disposal of wastewater shall be via the <b>Council</b> reticulated sanitary sewage disposal system.</li> <li>d. For <b>subdivision</b> in areas marked as controlled on the Awatea Outline Development Plan – Tangata whenua layer diagram in <a href="#">Appendix 8.10.142</a>, a cultural assessment shall be provided.</li> <li>e. For <b>subdivision</b> in the Industrial General Zone (North Belfast), activity standards in <a href="#">Rule 8.6.14</a>.</li> </ul>	<p><a href="#">8.7.4.1</a> (r) and <a href="#">Rule 8.7.4.6 (a)-(i) &amp; (k)</a> shall not apply).</p> <ul style="list-style-type: none"> <li>c. In addition, in areas marked as controlled on the Awatea Outline Development Plan – Tangata whenua layer diagram in <a href="#">Appendix 8.10.142</a>: <ul style="list-style-type: none"> <li>i. matters arising from consultation undertaken with tangata whenua representatives in the design phase of the <b>subdivision</b> and preparation of the cultural assessment</li> <li>ii. the menas of incorporating the findings of the cultural assessment in the design and implementation of the <b>subdivision</b>.</li> </ul> </li> <li>d. In addition to the matters above, the following shall also apply within Area 5 in <a href="#">Appendix 8.10.3023</a> East Papanui Outline Development Plan <ul style="list-style-type: none"> <li>i. The matters set out in <a href="#">Appendix 8.10.3023.C</a>;</li> <li>ii. Whether the <b>subdivision</b> is exemplary, including whether it: <ul style="list-style-type: none"> <li>A. Provides for neighbourhood design hat supports the</li> </ul> </li> </ul> </li> </ul>

	Activity	Relevant standards	Matters of control
			<p>principles of universal access; and</p> <p>B. Demonstrates innovation in the neighbourhood layout; <b>and</b></p> <p><b>e. Where relevant, Rule <a href="#">8.7.12</a>.</b></p>
C6	<p>a. Subdivision providing for residential activity in the following zones:</p> <p><del>i. Residential Hills;</del></p> <p><del>i.ii. Residential Large Lot Residential;</del></p> <p><del>ii.iii. Residential Small Settlement; and</del></p> <p><del>iii.iv. All Rural Zones other than Rural Quarry</del></p>	<p>a. Activity standards in <a href="#">Rules 8.6.1-8.6.9</a> and <a href="#">8.6.12</a>.</p> <p>b. An identified building area must be shown on the scheme plan of subdivision on every allotment on which a residential unit is anticipated.</p> <p>c. Where the site contains an existing residential unit at the time the subdivision application is made, the identified building area must include the existing residential unit, or it must indicate that the residential unit will be removed from the site altogether or that it will be relocated to an identified building area for that site.</p> <p>d. The identified building area must:</p> <ol style="list-style-type: none"> <li>i. include a single area of land of not less than 100m<sup>2</sup> and no greater than 2000m<sup>2</sup> which is capable of containing a residential unit;</li> <li>ii. include curtilage area contiguous to the area identified in (i) of not less than 200m<sup>2</sup> and no greater than 4000m<sup>2</sup>; and</li> <li>iii. be able to be linked by adequate and appropriate vehicle access to a formed public road.</li> </ol> <p>e. For any subdivision in the Rural Banks Peninsula Zone creating a residential allotment with a net site area of 1-4ha under <a href="#">Rules 8.5.1.2 C7</a> or <a href="#">8.5.1.3 RD7</a>,</p>	<p>a. <a href="#">Rule 8.7.4</a>; and,</p> <p>b. where relevant, <a href="#">Rules 8.7.5, 8.7.6, 8.7.7, 8.7.9, 8.7.10, and 8.7.11, and 8.7.12</a>.</p>

	Activity	Relevant standards	Matters of control
		the <b>identified building area</b> must include all <b>buildings</b> anticipated on the <b>site</b> .	
<b>C7</b>	<p>In the Rural Banks Peninsula Zone, <b>subdivision</b> creating a residential <b>allotment</b> with a <b>net site area</b> between 1ha and 4ha and a balance <b>allotment</b>, that when combined meet the applicable minimum <b>net site area</b> standard specified in Table 5.</p> <p>Advice note:</p> <p>1. Refer to <b>Rule 8.5.1.3</b> RD8 – RD11 for <b>subdivision</b> of land which includes <b>sites</b>, trees, items or land identified in <b>Chapter 9</b> Natural and Cultural Heritage.</p>	<p>a. Activity standards in <b>Rules 8.6.3-8.6.9</b> and <b>8.6.12</b>.</p> <p>b. The combined <b>net site area</b> of the 1-4ha residential <b>allotment</b> and the balance <b>allotment</b> must meet the applicable minimum <b>net site area</b> specified in <b>Rule 8.6.1</b> Table 5.</p> <p>c. Only one residential <b>allotment</b> may be created per complete multiple of the applicable minimum <b>net site area</b> specified in <b>Rule 8.6.1</b> Table 5. (Where more than one 1-4ha residential <b>allotment</b> (plus balance) is to be created, refer to <b>Rule 8.5.1.3</b> RD7).</p> <p>d. The balance <b>allotment</b> must be made subject to a consent notice that:</p> <p>i. prevents the erection of any further <b>residential units</b> in perpetuity on the balance area needed to meet b. above; and</p> <p>ii. protects the following where they exist:</p> <p>A. public access connections.</p> <p>e. The balance <b>allotment</b> must be contiguous with the 1-4ha residential <b>allotment</b> to which it relates.</p> <p>f. An <b>identified building area</b> must be shown in accordance with <b>Rule 8.5.1.2</b> C6.</p>	<p>a. <b>Rules 8.7.4, 8.7.6</b> and <b>8.7.7</b>.</p>
<b>C8</b>	<p><b>Subdivision that creates any vacant allotments within the Medium Density Residential and High Density Residential Zones.</b></p>	<p><b>The following standards apply:</b></p> <p>a. <b>Activity standards 8.6.1, and 8.6.3 – 8.6.9, 8.6.12, and 8.6.15.</b></p> <p><b>Note: Where each allotment contains a residential unit for which land use consent is concurrently sought, or a current resource consent has been obtained but not yet implemented, Rule 8.5.1.2 C8 does not apply. Refer to Rule 8.5.1.2 C9, below.</b></p>	<p>a. <b>Rule 8.7.4</b> and,</p> <p>b. <b>Where relevant, Rules 8.7.7-8.7.11 and 8.7.13;</b> and</p> <p>c. <b>Rule 8.7.12</b></p>

	Activity	Relevant standards	Matters of control
<b>C9</b>	<p><b>Subdivision within the Medium Density Residential and High Density Residential zones where no vacant allotments are created and each allotment:</b></p> <p>a. <b>Contains an existing residential unit;</b></p> <p><b>and/or</b></p> <p>b. <b>Is proposed to contain a residential unit, approved as part of a resource consent;</b></p> <p><b>and/or</b></p> <p>c. <b>Is subject to a concurrent resource consent application for a residential unit;</b></p> <p><b>except as otherwise specified in Rule 8.5.1.2 C1A and C2A.</b></p>	<p>a. <b>Activity standards in Rules 8.6.3-8.6.9, 8.6.12, and 8.6.15 apply</b></p> <p>b. <b>The subdivision shall not result in, or increase the degree of, non-compliance with the density-built form standards of the applicable zone (14.5.2 and 14.6.2).</b></p> <p><b>Note: Land use consent is also required where an applicable density-built form standard is breached.</b></p> <p>c. <b>If, at the time of lodging the subdivision consent application, the residential unit(s) relied upon under Rule 8.5.1.2 C9.b or C9.c have not yet been constructed to the extent that its exterior is fully closed in, either:</b></p> <p>i. <b>The residential unit(s) must be constructed to the extent that its exterior is fully closed in before obtaining a certificate under section 224 of the Resource Management Act 1991; OR</b></p> <p>ii. <b>It must be practicable to construct a residential unit on each allotment within the proposed subdivision, as a permitted activity.</b></p> <p>d. <b>Within the Suburban Density Precinct and Suburban Hill Density Precinct, this rule shall only apply when in accordance with Rule 14.5.3.1.4 RD19.</b></p> <p><b>Note: Where standard (c) is not met, then the lot will be treated as a vacant allotment and Rule 8.5.1.2 C8 shall apply.</b></p>	<p>a. <b>Rule 8.7.4 and,</b></p> <p>b. <b>Where relevant, Rules 8.7.7-8.7.11 and 8.7.13;</b></p> <p>c. <b>Rule 8.7.12</b></p> <p>d. <b>If an application is made under activity standard c.i of Rule 8.5.1.2 C9, the order in which dwelling construction and subdivision occurs.</b></p>
<b>C8 C10</b>	<p>a. <b>Subdivision in any zone, except as otherwise specified in:</b></p> <p>i. <b>Rule 8.5.1.2 C1A, C1B, C2A, C2B C4, C5, C6, C7, C8, and C9;</b></p> <p>ii. <b>Rule 8.5.1.3 RD2, RD4 to</b></p>	<p>Activity standards in Rules 8.6.1 - 8.6.9 and 8.6.12.</p>	<p>a. <b>Rule 8.7.4 and, where relevant, Rules 8.7.5 - 8.7.11-; and</b></p> <p>b. <b>Rule 8.7.12</b></p>

	<p>RD145;</p> <p>iii. Rule 8.5.1.4 D1 to D4; and</p> <p>iv. Rule 8.5.1.5 NC1 to NC78.</p>	
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### 8.5.1.3 Restricted discretionary activities

- a. The activities listed below are restricted discretionary activities if they meet the relevant standards set out in the following table.
- b. Discretion to grant or decline consent is restricted to the matters of discretion set out in Rule 8.8, as set out in the following table.
- c. Discretion to impose conditions is restricted to the matters set out in Rule 8.7 (whose matters of control are to be treated as matters of discretion) and Rule 8.8, as set out in the following table.

	Activity	Relevant standards	Matters of discretion for the purpose of imposing conditions	Matters of discretion for the purpose of granting or declining consent and imposing conditions
RD1	<p>Boundary adjustments that do not meet any one or more of the relevant standards listed in Rule 8.5.1.2 C1A or C1B.</p>	Nil	a. Rule 8.7.1	a. Rule 8.8.1
RD2	<p>a. Subdivision in any zone that does not meet any one or more of the relevant standards in:</p> <p>i. Rule 8.5.1.2 C5, C6 or C8C10; or</p> <p>ii. Rule 8.5.1.3 RD7;</p> <p>except as otherwise specified in;</p> <p>i. Rule 8.5.1.4 D1 to D45; and</p>	Nil	<p>a. Rule 8.7.4; and,</p> <p>b. where relevant, Rules 8.7.5 - 8.7.11 and 8.7.15 (except that in the Industrial General Zone (North Belfast), Rule 8.7.4.1 (r) and Rule 8.7.4.6 (a)-(i) &amp; (k) shall not apply).</p> <p>In addition to the matters above, the following shall also apply to Area 5 in Appendix 8.10.3023</p>	<p>a. As relevant to the activity standard that is not met:</p> <p>i. for Rule 8.6.1 - Minimum net site area and dimension: Rule 8.8.11</p> <p>ii. for Rule 8.6.3 – Access: Rule 8.8.2;</p> <p>iii. for Rule 8.6.4 - Roads: Rule 8.8.3;</p> <p>iv. for Rule 8.6.5 – Service lanes, cycle ways and pedestrian access ways: Rule 8.8.4;</p>



	<p>ii. <a href="#">Rule 8.5.1.5</a> NC1 to NC7&amp;</p> <p>b. For <a href="#">subdivision</a> in the <b>Residential New Neighbourhood Future Urban</b> Zone that does</p>		<p>East Papanui Outline Development Plan:</p> <p>c. The matters set out in <a href="#">Appendix 8.1.3023.C</a></p>	<p>v. for <a href="#">Rule 8.6.6</a> – Esplanade reserve, strip or additional land: <a href="#">Rule 8.9.5</a>;</p> <p>vi. for <a href="#">Rule 8.6.7</a> – Water supply: <a href="#">Rule</a></p>
	<p>not meet <a href="#">Rule 8.6.11.a</a> outline development plan or <a href="#">Rule 8.6.11.b</a> Residential net density, <a href="#">Rule 8.4.1.1.a.i</a>. does not apply.</p> <p>c. <b><u>Subdivision within the Medium Density and High Density zones that does not meet the following standards:</u></b></p> <p>i. <a href="#">Rule 8.5.1.2 C8 (a)</a></p> <p>ii. <a href="#">Rule 8.5.1.2 C9 (a)</a>.</p> <p><b>ed.</b> In the instance of non-compliance with RD2 b., written approvals and either limited or public notification may apply.</p>			<p><a href="#">8.8.6</a>;</p> <p>vii. for <a href="#">Rule 8.6.8</a> – Wastewater disposal: <a href="#">Rule 8.8.6</a>;</p> <p>ix. for <a href="#">Rule 8.6.12</a>– Radiocommunications: <a href="#">Rule 8.8.6.i</a>;</p> <p>x. in the Industrial Heavy Zone (South West Hornby), for <a href="#">Rule 8.6.10</a> - <a href="#">Rule 8.8.3</a>.</p> <p>xi. In the <b>Residential New Neighbourhood Future Urban</b> Zone, for <a href="#">Rule 8.6.11.a</a> (outline development plan) and <a href="#">Rule 8.6.11.b</a> (Residential net density): <a href="#">Rule 8.8.8</a> and <a href="#">Rule 8.8.9</a>.</p> <p>xii. In the <b>Residential New Neighbourhood Future Urban</b> Zone, for <a href="#">Rules 8.6.11.c</a> to i: The matters referred to in clauses i to ix above as applicable, and also those in <a href="#">Rule 8.8.9</a>.</p> <p>b. In an area shown on an <a href="#">outline development plan</a> <b>and in the Future Urban Zone</b>, <a href="#">Rule 8.8.8</a></p>

				<p>and 8.8.9 where applicable.</p> <p>c. In the Industrial Park Zone (Awatea), in relation to the disposal of wastewater: <a href="#">Rule 8.8.6</a>.</p>
				<p>d. In the Rural Banks Peninsula Zone, in relation to the relevant standards for <a href="#">Rule 8.5.1.2 C6</a>: <a href="#">Rule 8.8.13</a>.</p> <p>e. <b><u>For subdivision in the High Density Residential Zone that does not meet <a href="#">Rule 8.5.1.2 C8 (a)</a>: In the Residential-Central City Zone: <a href="#">Rule 8.8.11(g)</a></u></b></p> <p>f. In the Industrial General Zone (North Belfast), for <a href="#">Rule 8.6.14</a> – Wāhi taonga, wāhi tapu and urupā – North Belfast: <a href="#">Rule 8.8.14</a>.</p> <p>g. Where the site is within the Akaroa Heritage Area, <a href="#">Rule 9.3.6.3</a>.</p> <p>h. In addition to the matters above, within Area 5 in <a href="#">Appendix 8.10.3023</a> East Papanui Outline Development Plan:</p>

				<p>i. Whether the <b>subdivision</b> is exemplary, including whether it:</p> <p>A. Provides for neighbourhood design that supports the principles of universal access; and</p> <p>B. Demonstrates innovation in the neighbourhood</p>
				<p>layout.</p> <p>j. <b><u>Where the site is in the Medium or High Density Residential Zones in North Halswell, Rule 8.8.17</u></b></p>
<b>RD2A</b>	<b><u>Subdivision within the Medium Density Residential and High Density Residential zones that does not meet the following standard:</u></b> <b><u><a href="#">Rule 8.5.1.2 C9 (b).</a></u></b>	<b><u>Nil</u></b>	<p>a. <b><u><a href="#">Rule 8.7.4</a></u></b></p> <p>b. <b><u>Where relevant, <a href="#">Rules-8.7.7</a> - <a href="#">8.7.11</a>;</u></b></p>	a. <b><u><a href="#">Rule 8.8.16</a></u></b>
<b>RD3</b>	Conversion of tenure for the repair and rebuild of multi-unit residential complexes that does not meet any one or more of the relevant standards listed in <b><u><a href="#">Rule 8.5.1.2 C2A or C2B.</a></u></b>	Nil	a. <b><u><a href="#">Rule 8.7.2</a></u></b>	a. <b><u><a href="#">Rule 8.8.10</a></u></b> and <b><u><a href="#">Rule 8.8.11</a></u></b>

RD4	<p>a. Subdivision in a Flood Management Area except as otherwise specified in:</p> <p>i. Rule 8.5.1.4 D1 to D45; and</p> <p>ii. Rule 8.5.1.5 NC1 to NC6 and NC78.</p>	Nil	<p>a. Rule 8.7.4; and,</p> <p>b. where relevant, Rules 8.7.5 - 8.7.11</p>	a. Rule 8.8.7
RD5	<p>Subdivision of any site (other than an allotment to provide for a network utility, refer to Rule 8.5.1.2 C4) located within the following corridors:</p> <p>a. 37 metres of the centre line of a 220kV National grid transmission</p>	<p>a. A building platform for the principal building shall be identified on each allotment that is:</p> <p>i. greater than 12 metres from the centre line of a 220kV or 110kV National grid transmission line and greater than</p>	<p>a. Rule 8.7.4; and,</p> <p>b. where relevant, Rules 8.7.5 - 8.7.11</p>	a. Rule 8.8.6.i
	<p>line as shown on planning maps; or</p> <p>b. 32 metres of the centre line of a 66kV or 110kV National grid transmission line as shown on planning maps;</p> <p>except as otherwise specified in:</p> <p>i. Rule 8.5.1.4 D1 to D45; and</p> <p>ii. Rule 8.5.1.5 NC1 to NC6 and NC78.</p>	<p>12 metres from an associated support structure;</p> <p>or</p> <p>ii. greater than 10 metres from the centre line of a 66kV National grid transmission line and greater than 10 metres from an associated support structure.</p>		

<p><b>RD6</b></p>	<p>Subdivision of any site (other than an allotment to provide for a network utility, refer Rule 8.5.1.2 C4) located within the following corridors:</p> <ul style="list-style-type: none"> <li>a. 32 metres of the centre line of a 66kV electricity distribution line as shown on planning maps; or</li> <li>b. 24 metres of the centre line of a 33kV electricity distribution line as shown on planning maps;</li> </ul> <p>except as otherwise specified in:</p> <ul style="list-style-type: none"> <li>i. Rule 8.5.1.4 D1 to D45; and</li> <li>ii. Rule 8.5.1.5 NC1 to NC6 and NC78.</li> </ul>	<ul style="list-style-type: none"> <li>a. A building platform for the principal building shall be identified on each allotment that is: <ul style="list-style-type: none"> <li>i. greater than 10 metres from the centre line of a 66kV electricity distribution line or a foundation of an associated support structure; or</li> <li>ii. greater than 5 metres from the centre line of a 33kV electricity distribution line or a foundation of an associated support structure.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>a. Rule 8.7.4; and</li> <li>b. where relevant, Rules 8.7.5 - 8.7.11</li> </ul>	<ul style="list-style-type: none"> <li>a. Rule 8.8.6.i</li> </ul>
<p><b>RD7</b></p>	<p>In the Rural Banks Peninsula Zone, subdivision of any site creating more than one residential allotment with a net</p>	<ul style="list-style-type: none"> <li>a. The standards in Rule 8.5.1.2 C7, other than Standard c.</li> </ul>	<ul style="list-style-type: none"> <li>a. Rules 8.7.4, 8.7.6 and 8.7.7</li> </ul>	<ul style="list-style-type: none"> <li>a. Rule 8.8.13</li> </ul>
	<p>site area between 1ha and 4ha (plus balance), that is otherwise in accordance with Rule 8.5.1.2 C7.</p>			

<p><b>RD8</b></p>	<p>Subdivision within a Site of Ecological Significance listed in Schedule A of <a href="#">Appendix 9.1.6.1</a> (except in the Avon River Precinct Te Papa Ōtākaro Zone).</p>	<p>a. Subdivision shall not create any allotment where a permitted activity cannot occur outside the Site of Ecological Significance, unless the sole purpose of that allotment is to protect that Site of Ecological Significance.</p> <p>b. Any land to be set aside for the preservation of conservation values shall have a consent notice registered against the title requiring the continual preservation of the values on the allotment.</p>	<p>a. <a href="#">Rule 8.7.4</a>; and,</p> <p>b. where relevant, <a href="#">Rules 8.7.5 - 8.7.11</a></p>	<p>a. <a href="#">Rule 8.8.12</a>, and</p> <p>b. for rural zones, <a href="#">Rule 8.8.13</a> also applies.</p>
<p><b>RD9</b></p>	<p>Subdivision of land which includes a significant tree listed in <a href="#">Appendix 9.4.7.1</a>.</p>	<p>a. No new allotment boundary shall be within the <a href="#">drip line tree protection zone radius</a> of a significant tree.</p>	<p>a. <a href="#">Rule 8.7.4</a>; and,</p> <p>b. where relevant, <a href="#">Rules 8.7.5 - 8.7.11</a></p>	<p>a. <a href="#">Rule 8.8.12</a>, and</p> <p>b. for rural zones, <a href="#">Rule 8.8.13</a> also applies.</p>
<p><b>RD10</b></p>	<p>Any subdivision of land which includes a <a href="#">heritage item</a> or <a href="#">heritage setting</a> listed in <a href="#">Appendix 9.3.7.2</a>.</p>	<p>a. This rule shall not apply where the Council has granted consent for the removal of <a href="#">heritage item</a> or <a href="#">heritage setting</a>.</p> <p>b. Where there is an application for <a href="#">subdivision</a> at the same time as an</p>	<p>a. <a href="#">Rule 8.7.4</a>; and,</p> <p>b. where relevant, <a href="#">Rules 8.7.5 - 8.7.11</a></p>	<p>a. <a href="#">Rule 8.8.12</a>, and</p> <p>b. for rural zones, <a href="#">Rule 8.8.13</a> also applies.</p>

		<p>application for the removal of the <a href="#">heritage item</a> or <a href="#">heritage setting</a>, the Council will not grant the <a href="#">subdivision</a> consent prior to considering the application for removal.</p> <p>Advice note:</p> <p>1. There are further obligations under the <a href="#">Heritage New Zealand Pouhere Taonga Act 2014</a> that must be met before work can commence.</p>		
<b>RD11</b>	<p>a. <a href="#">Subdivision</a> of land within, or partly within:</p> <p>i. a Rural Amenity Landscape (other than in <a href="#">Banks Peninsula</a>) identified in <a href="#">Appendix 9.2.9.2.4</a>;</p> <p>ii. an Outstanding Natural Landscape identified in <a href="#">Appendix 9.2.9.2.2</a>;</p> <p>iii. an Outstanding Natural Feature identified in <a href="#">Appendix 9.2.9.2.1</a>;</p> <p>iv. an Area of Outstanding Natural Character in the Coastal Environment</p>	<p>a. An <a href="#">identified building area</a> shall be identified on any <a href="#">allotment</a> created.</p>	<p>a. <a href="#">Rule 8.7.4</a>; and,</p> <p>b. where relevant, <a href="#">Rules 8.7.5 - 8.7.11</a></p>	<p>a. <a href="#">Rule 8.8.12</a>, and</p> <p>b. for rural zones, <a href="#">Rule 8.8.13</a> also applies.</p>

	<p>identified in <a href="#">Appendix 9.2.9.2.7</a>;</p> <p>v. Area of High and Very High Natural Character in the Coastal Environment identified in <a href="#">Appendix 9.2.9.2.8</a>;</p> <p>vi. an Important Ridgeline identified on the planning maps; or</p> <p>vii. a <a href="#">Site of Ngāi Tahu Cultural Significance</a> identified in <a href="#">Schedule 9.5.6.1</a>.</p> <p>b. Any application arising from <a href="#">Rule 8.5.1.3 RD11</a> (a)(vii) need not be publicly notified, but shall be limited notified to the relevant rūnanga, and Heritage New Zealand Pouhere Taonga in respect of sites on the Heritage New Zealand List / Rārangi Korero, (absent their written approval).</p>			
<b>RD12</b>	<p><a href="#">Subdivision</a> within the <a href="#">Central City</a> for the protection of:</p> <p>a. a Significant Feature identified</p>	<p>a. Where any <a href="#">allotment</a> is created for the sole purpose of enabling the protection of land within a</p>	<p>a. <a href="#">Rule 8.7.4</a>; and,</p> <p>b. where relevant, <a href="#">Rules 8.7.5 - 8.7.11</a></p>	<p>a. <a href="#">Rule 8.8.12</a></p>



	<p>in <a href="#">Appendix 9.2.9.2.3</a>, or</p> <p>b. a <a href="#">heritage item</a> or <a href="#">heritage setting</a> listed in <a href="#">Appendix 9.3.7.2</a>.</p>	<p>Significant Feature, or protecting a <a href="#">heritage item</a> and associated <a href="#">heritage setting</a>, and no additional <a href="#">building</a> is to be erected on that <a href="#">allotment</a>, a new <a href="#">allotment</a> may be created where the <a href="#">allotment</a> need not comply with minimum <a href="#">net site area</a> for the relevant zone provided:</p> <p>i. a consent notice is registered against the relevant certificate(s) of title stating that no additional <a href="#">residential unit</a> is to be erected on the <a href="#">allotment</a> being created for protection; and</p> <p>ii. the other <a href="#">allotment</a> must be capable of containing a permitted activity (unless resource consent for any non-compliance has been obtained).</p>		
<b>RD13</b>	<p><a href="#">Subdivision</a> of land in the Avon River Precinct Te Papa Ōtākaro Zone and within, or partly within:</p> <p>a. a Significant Feature identified in <a href="#">Appendix</a></p>	Nil	<p>a. <a href="#">Rule 8.7.4</a>; and,</p> <p>b. where relevant, <a href="#">Rules 8.7.5 - 8.7.11</a></p>	<p>a. <a href="#">Rule 8.8.12</a></p>

	<p>9.2.9.2.3; or</p> <p>b. a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1.</p>			
RD14	<p>Subdivision in the Industrial General Zone (North Belfast) which creates an allotment with a new boundary less than 10 metres from:</p> <p>a. the surveyed point of the spring identified on the outline development plan in Appendix 16.8.5; or</p> <p>b. any spring not identified on the outline development plan in Appendix 16.8.5, and which is not within Lots 5, 6 and 7 DP 71209, in which case the setback shall be measured from the head or heads of the spring where visible.</p>	<p>a. Activity standards in Rules 8.6.1 – 9, 8.6.12 and 8.6.14.</p> <p>b. Subdivision shall be undertaken in accordance with the key structuring elements on the outline development plan in Appendix 16.8.5 (key structuring elements are specified in Rule 16.4.6.1.1 P1).</p>	<p>a. Rule 8.7.4; and,</p> <p>b. where relevant, Rules 8.7.5 - 8.7.11 (except that in the Industrial General Zone (North Belfast), Rule 8.7.4.1 (r) and Rule 8.7.4.6 (a)-(i) &amp; (k) shall not apply).</p>	<p>a. Rule 8.8.14</p>
RD15	<p><b>Within the Meadowlands Exemplar Overlay in the Residential New Neighbourhood Future Urban (North Halswell) Zone as shown on Planning Map 45:</b></p> <p><b>a. Comprehensive subdivision and land use</b></p>	<p><del>a. The subdivision and land use consent application shall be processed together.</del></p> <p><del>b. Buildings shown in the comprehensive subdivision and land use consent application shall meet the following built form standards:</del></p>	<p>Nil</p>	<p><del>a. Rule 8.8.15</del></p>

	<p>activities that implement the Meadowlands Exemplar approved by the Council on 24 April 2014.</p> <p>b. Any application arising from this rule shall not require the written approval of other persons and shall not be publicly notified.</p>	<p>i. Maximum height of any building: 11m.</p> <p>ii. Maximum number of storeys in buildings: 3.</p> <p>iii. Minimum number of storeys for residential buildings facing the Key Activity Centre: 2.</p> <p>iv. Where the standards in i. – iii. inclusive above are not met, the activity status shall remain Restricted Discretionary with the Council's discretion restricted to the matters set out in Rule 8.8.9.13.</p> <p>c. The comprehensive subdivision and land use consent application shall be accompanied by a Neighbourhood Plan which shall cover a minimum area of 8ha and address the matters set out at Rule 8.6.13.</p> <p>d. The comprehensive subdivision and land use consent application shall be:</p> <p>i. for a developable area of at least 7000m<sup>2</sup> within the 8ha Neighbourhood</p>		
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		<p><b>Plan area; and</b></p> <p><b>ii. in accordance with the <del>outline development plan</del> in <del>Appendix 8.10.4.A</del>, except that:</b></p> <p><b>A. Where open space is shown on an <del>outline development plan</del> and that land is not required by the <del>Council</del> as a recreation reserve or local purpose reserve then that land can be developed for residential purposes in accordance with the wider <del>outline development plan</del> intentions.</b></p> <p><b>iii. Where the <del>comprehensive subdivision</del> and <del>land use consent application</del> is not in accordance with the <del>outline development plan</del> in <del>Appendix 8.10.4</del>, the application status shall remain restricted discretionary, with the <del>Council's</del> discretion restricted to the Matters set out in</b></p>		
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		<p><b>Rule 8.8.15.7.</b></p> <p><del>e.—The comprehensive subdivision and land use consent application may include future development allotments.</del></p> <p><del>f.—The comprehensive subdivision and land use consent application shall contain 3 or more of the following building typologies:</del></p> <ul style="list-style-type: none"> <li><del>i. Standalone House;</del></li> <li><del>ii. Duplex;</del></li> <li><del>iii. Terrace;</del></li> <li><del>iv. Apartment;</del></li> </ul> <p><del>with no single typology making up more than two thirds of the total number of residential units.</del></p> <p><del>g.—The comprehensive subdivision and land use consent application shall only be in accordance with the Meadowlands Exemplar approved by the Council on 24 April 2014.</del></p> <p><del>h.—The activity standard specified in Rule 8.6.8(e)</del></p> <p><b>Advice note:</b></p> <p><del>1.—Where open space is shown on an outline</del></p>		
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		<p><del>development plan and that land is not required by the Council as a recreation reserve or local purpose reserve then that land can be developed for residential purposes in accordance with the wider outline development plan intentions.</del></p>		
RD16	<p>Cancellation or variation of a consent notice (or condition within a consent notice) that was created as a result of a <b>subdivision</b> to protect an identified tree or trees on an <b>allotment</b>, except as specified in <b>Rule 8.5.1.4 D6</b>.</p> <p>Advice note:</p> <p>1. <b>Rule 8.5.1.3</b> RD16 applies where a s224 certificate has issued. Cancelling or varying a consent notice prior to issue of an s224 certificate requires a change to the resource consent conditions and is a discretionary activity under the <b>Act</b>.</p>	Nil.	a. <b>Rule 8.7.4.6 (i)</b>	a. <b>Rule 8.8.12 i.</b>
RD17	<p>Within Areas 1, 2, 3, and 4 in <b>Appendix 8.10.3023</b> East</p>	a. The <b>subdivision</b> and land use consent	a. <b>Rule 8.7.4</b> and	a. <b>Rule 8.8.15.1(a) to Rule 8.8.15.13</b> except

	<p>Papanui Outline Development Plan:</p> <p>a. <b>subdivision</b> and land use activities, other than the following activities provided for by <a href="#">Rule 14.12.1.1</a> (to which <a href="#">Rule 14.12</a> shall continue to apply):</p> <p>i. P5 (<b>Home occupation</b>);</p> <p>ii. P6 (Care of non-resident children);</p> <p>iii. <del>P7 (<b>Bed and breakfast</b>);</del></p> <p>iv. P176 (Temporary lifting or moving of earthquake damaged buildings);</p> <p>v. P198 (<b>Market gardens, community gardens and garden allotments</b>); and</p> <p>vi. P219 (limited to <b>rural productive activities</b>, other than new <b>buildings</b> or additions to existing <b>buildings</b>, which are permitted activities in the Rural Urban Fringe Zone) – <a href="#">Rule 17.5.1.1</a>).</p>	<p>application shall be processed together.</p> <p>b. The joint <b>subdivision</b> and land consent application shall be accompanied by a Neighbourhood Plan which shall cover a minimum area of 4ha and address the matters set out at <a href="#">Rule 8.6.13</a>.</p> <p>c. The joint <b>subdivision</b> and land use consent application shall be for a developable area of at least 6,000m<sup>2</sup> within the 4ha Neighbourhood Plan area.</p> <p>d. The joint <b>subdivision</b> and land use activities shall be in accordance with the development requirements in <a href="#">Appendix 8.10.3023.D</a>.</p> <p>e. The built form standards in <a href="#">Rules 14.12.2.1</a> to <a href="#">14.12.2.17</a>.</p> <p>f. The joint comprehensive <b>subdivision</b> and land use activities shall contain 3 or more of the following building typologies:</p> <p>i. <b>Standalone House</b>;</p> <p>ii. <b>Duplex</b>;</p> <p>iii. <b>Terrace</b>;</p> <p>iv. <b>Apartment</b>;</p> <p>With no single typology making up more than two thirds of the total number of <b>residential units</b>.</p>	<p>b. The matters set out in <a href="#">Appendix 8.10.30.23.C</a></p>	<p><del><a href="#">Rule 8.8.15.7</a> and <a href="#">Rule 8.8.15.12</a></del></p> <p>b. Whether the development is exemplary, including whether it:</p> <p>i. Provides for neighbourhood design that supports the principles of universal access</p> <p>ii. Results in Lifemark 3© as a minimum standard for residential buildings or is of a proven equivalent</p> <p>iii. Results in Homestar 6© as a minimum standard for residential <b>buildings</b> or is of a proven equivalent</p> <p>iv. Demonstrates diversity in building and unit typology as well as providing for affordable housing</p> <p>v. Demonstrates innovation in the neighbourhood layout, building design and technologies utilised.</p> <p>c. In addition to the matters above:</p> <p>i. For Retirement villages: <a href="#">Rule 14.15.9</a>;</p> <p>ii. For Comprehensive Residential Development: <a href="#">Rule 14.15.36</a>.</p>
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### 8.5.1.4 Discretionary activities

a. The activities listed below are discretionary activities.

	Activity
D1	Subdivision in a rural zone resulting in allotments that does not meet the minimum net site area standards in Rule 8.6.1, unless specified otherwise.
D2	Any subdivision in the Specific Purpose (Golf Resort) Zone - Whisper Creek Golf Resort that does not comply with a concept plan approved by the Council for that activity area in accordance with Rule 13.9.5.1.3 RD6 Concept plans.
D3	Subdivision in the Open Space Coastal Zone
D4	Subdivision that does not meet any one or more of the relevant standards listed in Rule 8.5.1.3 RD8, RD9, RD11, RD12 and RD14.
D5	<p><del>a. Within the Meadowlands Exemplar Overlay in the Residential New Neighbourhood Future Urban (North Halswell) Zone as shown on Planning Map 45, comprehensive subdivision and land use activities under Rule 8.5.1.3 RD15 for activities that do not comply with activity standard Rule 8.5.1.3 RD15 (d)(i.)</del></p> <p><del>b. The consent application shall not require the written approval of other persons and shall not be publicly notified.</del></p> <p><del>c. In determining whether to grant or decline consent and impose conditions, the Council will consider the matters in Rule 8.8.15 and any other relevant matter.</del></p>
D6	Cancellation or variation of a consent notice (or condition within a consent notice) that was created as a result of a subdivision to protect an identified tree or trees on an allotment where the tree(s) is listed as 'exceptional' in Appendix 9.4.7.1.
D7	<p>a. Within Areas 1, 2, 3, and 4 of the East Papanui Outline Development Plan in Appendix 8.10.3023, subdivision and land use activities under Rule 8.5.1.3 RD17:</p> <p>i. that do not comply with one or more of the relevant Standards listed in Rule 8.5.1.3 RD17; or</p> <p>ii. that are not otherwise listed as restricted discretionary or discretionary activities.</p>
D8	a. <u>Any subdivision within the Suburban Density Precinct and Suburban Hill Density Precinct that does not meet Rule 8.5.1.2 C9.</u>

### 8.5.1.5 Non-complying activities

a. The activities listed below are non-complying activities.

	Activity
NC1	Subdivision in <u>the Residential Small Settlement Zone, Residential Guest Accommodation Zone, Large Lot Residential, Residential Banks Peninsula Zone or Papakāinga/Kāinga Nohoanga Zone</u> <del>a residential zone (other than the Residential Medium Density Zone or Residential New Neighbourhood Zone)</del> that does not meet the minimum net site area standards in Rules 8.6.1 or 8.6.2.



<b>NC2</b>	<b>Subdivision</b> that does not meet any one or more of the relevant standards listed in <a href="#">Rule 8.5.1.3</a> RD5 or RD6.
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	<b>Activity</b>
<b>NC3</b>	<b>Subdivision</b> within the Lyttelton Port Influences Overlay, other than where a condition is proposed prohibiting noise <b>sensitive activities</b> on each <b>allotment</b> , to be complied with on a continuing basis, for the purpose of incorporation into a consent notice to be issued by the <b>Council</b> .
<b>NC4</b>	<b>Subdivision</b> in a rural zone resulting in an <b>allotment</b> with a minimum <b>net site area</b> less than 4ha, except as specified in <a href="#">Rules 8.5.1.2</a> C7 or <a href="#">8.5.1.3</a> RD7.
<b>NC5</b>	<b>Subdivision</b> that does not meet <a href="#">Rule 8.6.6(d)</a> .
<b>NC6</b>	In the Rural Waimakariri, Rural Templeton or Rural Quarry Zone, <b>subdivision</b> resulting in a new <b>allotment</b> or balance <b>allotment</b> located within the 50 dB Ldn Air Noise Contour that does not meet the minimum <b>net site area</b> standards in <a href="#">Rule 8.6.1</a> .
<b>NC7</b>	In the <a href="#">Rural Port Hills Zone</a> , <b>subdivision</b> that does not meet the minimum <b>net site area</b> standards in <a href="#">Rule 8.6.1</a> .
<b>NC8</b>	<del>Within the Meadowlands Exemplar Overlay in the Residential New Neighbourhood Future Urban (North Halswell) Zone as shown on <a href="#">Planning Map 45</a>, comprehensive <b>subdivision</b> and land use consent application for activities that are not otherwise listed as restricted discretionary or discretionary activities, or any subdivision or land use activities that are not part of a comprehensive <b>subdivision</b> and land use activity.</del>

### 8.5.1.6 Prohibited activities

- a. There are no prohibited activities.

## 8.6 Activity standards

### 8.6.1 Minimum net site area and dimension

- a. **Allotments** in the ~~Residential Suburban, Residential Hills, Residential~~ Large Lot **Residential**, Open Space Metropolitan Facilities (golf courses, Riccarton Racecourse and Wilding, Western, Kearneys and Christchurch Parks) **and the 50 dB Ldn Air Noise Contour or the Airport Noise Influence Area and Low Density Residential Airport Influence Zones** shall have a minimum dimension of 16m x 18m.
- b. **Allotments** in the ~~Residential Suburban Density Transition and~~ Open Space Metropolitan Facilities (Addington Racecourse and Rugby Park) Zones and within an Edge Housing Area Overlay identified in [Appendix 13.14.6.1](#) within the Specific Purpose (Ōtākaro Avon River Corridor) Zone shall have a minimum dimension of 13m x 16m.
- c. **Allotments** in the ~~Residential~~ Medium Density, **and High Density Residential** Zones shall ~~either~~ have a minimum dimension of 10m; ~~or the application shall include a plan demonstrating that a permitted residential unit can be located on any new allotment that has a minimum dimension less than 10m, including in relation to recession planes, unit size, access and parking, outdoor living space, and floor level requirements. Within the [Medium Density Residential](#) (Residential Hills Precinct in the Medium~~

Density Residential Zone) Zone the allotment shall have a minimum dimension of 17m x 12m.

- d. Allotments in any zone except the ~~Residential New Neighbourhood Future Urban~~ Zone shall meet the minimum net site area and other requirements specified at Tables 1 - 5 to this rule.
- e. Allotments in the ~~Residential New Neighbourhoods Future Urban~~ Zone shall meet the applicable standards at 8.6.11.
- f. The minimum net site area specified in Tables 1-6 may be reduced by the area within the ~~drip-line tree protection zone radius~~ of a significant tree or group of trees listed in Appendix 9.4.7.1, except that the minimum net site area shall not be reduced to an area less than 200 m<sup>2</sup>.
- g. Allotments on a site listed in Appendix 13.14.6.2, and which are in private ownership, shall have the minimum dimension applying to the zoning specified as the Alternative Zone in Appendix 13.14.6.2.
- h. Allotments in Suburban Density Precinct and Suburban Hill Density Precinct within the Medium Density Residential Zone shall have a minimum dimension of 15m.

**Table 1. Minimum net site area – residential zones**

	Zone	Minimum net site area	Additional standards
a.	Residential Suburban <u>Medium Density Residential Zone</u>	450m <sup>2</sup> <u>400m<sup>2</sup> for a vacant allotment</u>	<p><del>a. In the Cashmere and Worsleys area (shown at Appendix 8.10.7) the minimum net site area shall be 4ha unless in compliance with the development plans at Appendix 8.10.7.</del></p> <p><del>b. In the Cashmere and Worsleys area (shown at Appendix 8.10.7):</del></p> <ul style="list-style-type: none"> <li><del>i. No more than 380 residential allotments shall be created or enabled by subdivision.</del></li> <li><del>ii. No more than 380 residential units shall be created or enabled by subdivision.</del></li> </ul> <p><del>c. The historic stonewalled drain shown at Appendix 8.10.7(d) shall be protected.</del></p> <p>d. In Character Areas, the minimum net site area shall be <del>600m<sup>2</sup></del>:</p> <ul style="list-style-type: none"> <li>i. <u>In the <del>Beverley</del>, Heaton and Cashmere Character Areas – 800m<sup>2</sup></u></li> <li>ii. <u>In the Englefield Character Areas – 450m<sup>2</sup></u></li> <li>iii. <u>In the Dudley, Beckenham and Piko Character Areas – 700m<sup>2</sup></u></li> <li>iv. <u>In the <del>Ranfurly</del>, Francis, Malvern, Massey, Severn, Tainui, Ryan, Roker, Cashmere View and</u></li> </ul>

			<p><b><u>Bewdley Character Areas – 600m<sup>2</sup>.</u></b></p> <p><b><u>b. Within the Stormwater Constraint Overlay the minimum net site area shall be 1ha. Note that sites that cannot discharge to Hendersons Road Drain Branch or Days Drain may not have any stormwater connections available.</u></b></p> <p><b><u>c. In Residential Heritage Areas, the minimum net site area shall be:</u></b></p> <ul style="list-style-type: none"> <li><b><u>i. In the Heaton Street, Wayside Avenue, RNZAF Station Wigram Staff Housing, and Macmillan Avenue Residential Heritage Areas - 800m<sup>2</sup></u></b></li> <li><b><u>ii. In the Church Property Trustees North St Albans Subdivision (1923) Residential Heritage Area - 600m<sup>2</sup></u></b></li> <li><b><u>iii. In the Piko/Shand (Riccarton Block) State Housing Residential Heritage Area - 700m<sup>2</sup></u></b></li> <li><b><u>iv. In the Shelley/Forbes Street, Englefield Avonville, Chester Street East/Dawson Street, and Inner City West Residential Heritage Areas - 450m<sup>2</sup>.</u></b></li> </ul>
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b.	<b>Medium Density Residential Zone – Residential Hills Precinct</b>	<b>650m<sup>2</sup> for a vacant allotment</b>	<p>a. <b>An <u>identified building area</u> must be shown on the scheme plan of <u>subdivision</u> on every <u>allotment</u> on which a <u>residential unit</u> is anticipated.</b></p> <p>b. <b>Where the <u>site</u> contains an existing <u>residential unit</u> at the time the subdivision application is made, the <u>identified building area</u> must include the <u>existing residential unit</u>, or it must indicate that the <u>residential unit</u> will be removed from the <u>site</u> altogether or that it will be relocated to an <u>identified building area</u> for that <u>site</u>.</b></p> <p>c. <b>The <u>identified building area</u> must:</b></p> <ul style="list-style-type: none"> <li>i. <b><u>include a single area of land of not less than 100m<sup>2</sup> and no greater than 2000m<sup>2</sup> which is capable of containing a <u>residential unit</u>;</u></b></li> <li>ii. <b><u>include curtilage area contiguous to the area identified in (i) of not less</u></b></li> </ul>
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	Zone	Minimum net site area	Additional standards
			<p><b><u>than 200m<sup>2</sup> and no greater than 4000m<sup>2</sup>; and</u></b></p> <ul style="list-style-type: none"> <li>iii. <b><u>be able to be linked by adequate and appropriate vehicle <u>access</u> to a formed public <u>road</u>.</u></b></li> </ul> <p>d. <b><u>In the Upper Worsleys Spur area (shown in <u>Appendix 14.16.8A</u> and <u>14.16.8B</u>), the gully areas shown on the development plan shall be planted and maintained in native tree species indigenous to the area, except where they are left to regenerate by maintaining existing nursery plant cover of broom or gorse.</u></b></p> <p>e. <b><u>In the Cashmere and Worsleys area (shown at <u>Appendix 8.10.7</u>)</u></b></p> <ul style="list-style-type: none"> <li>i. <b><u>the minimum net site area shall be 4ha unless in compliance with the development plans at <u>Appendix</u></u></b></li> </ul>

			<p><a href="#">8.10.7</a></p> <p>ii. <a href="#">The historic stonewalled drain shown at Appendix 8.10.7(d) shall be protected.</a></p>
c.	<b>High Density Residential Zone</b>	<b>300m<sup>2</sup> for a vacant allotment</b>	<b>a. In Character Areas, the minimum net site area shall be 400m<sup>2</sup>.</b>
d.	<b>Low Density Residential Airport Influence Zone</b>	<b>450m<sup>2</sup></b>	
e.	<b>Low Density Residential Airport Influence Zone— Airport Influence Density Precinct</b>	<b>330m<sup>2</sup></b>	
b.	<b>Residential Suburban Heathcote Village</b>	<b>2000m<sup>2</sup></b>	<b>a. In the Peat Ground Condition Constraint Overlay at Heathcote (refer to notation 17 on Planning Map 47A), the total number of additional allotments created in this part of the zone, since 24 June 1995, shall not exceed 30.</b>
e.—	<b>Residential Suburban Existing Rural Hamlet</b>	<b>2000m<sup>2</sup></b>	
d.	<b>Residential Suburban (Corner Henderson’s and Sparks Roads)</b>	<b>1ha</b>	
d.e.	Residential Suburban Density Transition	330m <sup>2</sup>	a. In Character Areas, the minimum net site area shall be 400m <sup>2</sup> .
f.—	<b>Residential Medium Density</b>	<b>200m<sup>2</sup></b>	<b>a. In Character Areas, the minimum net site area shall be 400m<sup>2</sup>.</b>
e.g.	Residential Banks Peninsula	400m <sup>2</sup>	<b>a. In the Lyttelton Character Area and Lyttelton Residential Heritage Area, the minimum net site area shall be 450m<sup>2</sup>.</b>
	<b>Zone</b>	<b>Minimum net site area</b>	<b>Additional standards</b>

f.h.	Prestons Retirement Village Overlay	4ha	
i.	<b>Residential Hills</b>	<b>650m<sup>2</sup></b>	<p><del>a. In the Montgomery Spur area (Appendix 14.16.7):</del></p> <p><del>i. any allotment shall include a net site area capable of containing a complying residential unit in the area that is not subject to the building restriction; and</del></p> <p><del>ii. the minimum net site area shall be 850m<sup>2</sup>.</del></p> <p><del>b. In the Moncks Spur area shown at Appendix 8.10.8, the minimum net site area shall be 850m<sup>2</sup>.</del></p> <p><del>c. In the Shalamar Drive area, the minimum net site area shall be 850m<sup>2</sup>.</del></p> <p><del>b.d. In the Cashmere and Worsleys area (shown at Appendix 8.10.7) the minimum net site area shall be 4ha unless the site is in compliance with the development plans in Appendix 8.10.7(a), (b) and (d).</del></p> <p><del>c.e. In the Richmond Hill area (shown in Appendix 8.10.9) a landscaping strip with a minimum width of 3 metres shall be provided along the southeast zone boundary.</del></p> <p><del>d.f. In the Upper Worsleys Spur area (shown in Appendix 14.16.7 and 14.16.8), the gully areas shown on the development plan shall be planted and maintained in native tree species indigenous to the area, except where they are left to regenerate by maintaining existing nursery plant cover of broom or gorse.</del></p> <p><del>d. Within the Residential Hills Mixed Density Overlay—Redmond Spur:</del></p> <p><del>i. The maximum number of allotments shall be 400.</del></p> <p><del>ii. A minimum of 30% of sites shall have a minimum net site area of 1500m<sup>2</sup>.</del></p> <p><del>e. Within the Residential Hills Mixed Density Overlay—86 Bridle Path Road (Lot 1 DP412440) the maximum</del></p>

			<b>number of allotments shall be 9.</b>
i.	<u>Suburban Density Precinct and Suburban Hill Density Precinct</u>	<u>400m<sup>2</sup> within the Suburban Density Precinct; or</u> <u>650m<sup>2</sup> within the Suburban Hill Density Precinct.</u>	
<del>jh.</del>	<del>Residential Large Lot Residential</del>	1500m <sup>2</sup>	<p>a. In the Samarang and Allandale areas (shown at <a href="#">Appendix 8.10.1210</a> and <a href="#">8.10.1311</a>) no <b>subdivision</b> shall occur unless in general compliance with the relevant development plans.</p> <p><del>b. In the Cashmere and Worsleys area (shown at <a href="#">Appendix 8.10.7</a>) the minimum <b>net site area</b> shall be 4ha unless in compliance with the development plans at <a href="#">Appendix 8.10.7 (a), (b) and (d).</a></del></p> <p><del>e.b</del> In the Residential Large Lot Zone Akaroa Hillslopes Density Overlay the minimum <b>net site area</b> shall be 5000m<sup>2</sup>.</p> <p><del>d.c.</del> In the Residential Large Lot Density Overlay the minimum <b>net site area</b> shall be 3000m<sup>2</sup>.</p> <p><u>d. In the Large Lot Residential (Rural Hamlet Precinct) the minimum <b>net site area</b> shall be 2000m<sup>2</sup>.</u></p> <p><u>e. In the Residential Mixed Density Precinct – Redmund Spur:</u></p> <p>i. <u>the minimum <b>allotment</b> size shall be 650m<sup>2</sup>, however a minimum of 30% of <b>sites</b> shall have a minimum of 1,500m<sup>2</sup>; and</u></p> <p>ii. <u>the maximum number of <b>allotments</b> shall be 400.</u></p> <p><u>f. In the Residential Mixed Density Precinct – 86 Bridle Path Road (Lot 1 DP412440) the maximum number of <b>allotments</b> shall be 9.</u></p>
ki.	Residential Small Settlement	1000m <sup>2</sup>	
lj.	Residential Small Settlement Kainga Overlay Area 1 and 2	450m <sup>2</sup>	<p>a. Additional <b>allotments</b> shall not be created within 100m of the centre line of the primary stopbank as shown on the planning maps.</p>

<b>mk.</b>	Residential Small Settlement (Takamatua)	1500m <sup>2</sup>	a. Not more than 25 <b>allotments</b> are to be created (excluding those for <b>reserves, roads</b> or <b>utilities</b> ).
<b>nl.</b>	Residential Banks Peninsula Zone - Diamond Harbour Density Overlay	600m <sup>2</sup>	
<b>om.</b>	Papakāinga	a. <b>Māori Land</b> – no minimum b. Other Land – as applies to Rural Banks Peninsula Zone (refer <b>Rule 8.6.1 Table 5</b> minimum <b>net site area</b> – rural zones)	
<b>pn.</b>	Residential <del>Guest Visitor</del> accommodation  (Plan Change 4 Council Decision subject to appeal)	a. Kilmarnock, 197 Lincoln Road, 15 Sioux Avenue - 200m <sup>2</sup> b. 456 Papanui Road - 330m <sup>2</sup> c. 14 Henry Wigram Drive and 110 Marshlands Road - 450m <sup>2</sup>	
<b>q.</b>	<del>Accommodation and community facility overlay</del>	<del>a. Land zoned Residential Medium Density on either <b>Planning Map 31</b> or <b>32</b> 200m<sup>2</sup> b. Land zoned Residential Suburban on either <b>Planning Map 31</b> or <b>32</b> 450m<sup>2</sup></del>	



r.	<del>Residential Central City Zone</del>	<p>a. All allotments shall have a <b>minimum net site area</b> that meets the minimum residential site density requirement in Rule <b>14.6.2.11</b>, or</p> <p>b. <del>as approved through land use consent.</del></p>	
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**Table 2. Minimum net site area – commercial and industrial zones**

	Zone	Minimum net site area
a.	<del>Neighbourhood Centre Zone, Local Centre Zone, Town Centre Zone, Commercial Core, Commercial Office, Commercial Mixed Use Zone, Commercial Retail Park Large Format Retail Zone, Commercial Local</del> , and Commercial Banks Peninsula Zones	250m <sup>2</sup>
b.	Industrial General, Industrial Park Zones, and where connected to a <b>Council</b> owned reticulated sanitary sewage disposal system in the Industrial Heavy Zone	500m <sup>2</sup>
c.	Industrial Heavy Zone where no connection to a <b>Council</b> owned reticulated sanitary sewage disposal system is provided	4ha
d.	<del>Commercial Central City Business City Centre Zone</del>	No minimum net site area
e.	<del>Commercial</del> Central City Mixed Use Zone	500m <sup>2</sup>

**Table 3. Minimum net site area — open space zones**

	Zone	Minimum net site area
a.	Open Space (McLeans Island) and Open Space Community Park Zones	300m <sup>2</sup>
b.	Open Space Metropolitan Facilities Zone – Kearneys Park, and Shirley, Avondale and Waimairi Golf Courses	450m <sup>2</sup>
c.	Open Space Metropolitan Facilities Zone – Addington and Riccarton Racecourses	330m <sup>2</sup>

d.	Open Space Metropolitan Facilities Zone – Lancaster Park	500m <sup>2</sup>
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**Table 4. Minimum net site area - specific purpose zones**

	Zone	Minimum net site area												
a.	Specific Purpose (Hospital)	<p>a. For hospitals — no minimum net site area.</p> <p>b. For activities other than hospitals, the minimum net site area for the alternate zones specified below apply.</p> <table border="1"> <thead> <tr> <th></th> <th>Hospital</th> <th>Alternate Zone</th> </tr> </thead> <tbody> <tr> <td><del>i.</del></td> <td><del>Lady King Hospital</del></td> <td><del>Residential Hills</del></td> </tr> <tr> <td><del>ii.i.</del></td> <td>St Georges, Nurse Maude, Southern Cross, Mary Potter, Montreal House and Christchurch Hospitals.</td> <td><del>Residential Medium High Density Residential</del></td> </tr> <tr> <td><del>iii.ii.</del></td> <td>Princess Margaret Hospital</td> <td><del>Medium Density Residential Suburban Density Transition</del></td> </tr> </tbody> </table>		Hospital	Alternate Zone	<del>i.</del>	<del>Lady King Hospital</del>	<del>Residential Hills</del>	<del>ii.i.</del>	St Georges, Nurse Maude, Southern Cross, Mary Potter, Montreal House and Christchurch Hospitals.	<del>Residential Medium High Density Residential</del>	<del>iii.ii.</del>	Princess Margaret Hospital	<del>Medium Density Residential Suburban Density Transition</del>
	Hospital	Alternate Zone												
<del>i.</del>	<del>Lady King Hospital</del>	<del>Residential Hills</del>												
<del>ii.i.</del>	St Georges, Nurse Maude, Southern Cross, Mary Potter, Montreal House and Christchurch Hospitals.	<del>Residential Medium High Density Residential</del>												
<del>iii.ii.</del>	Princess Margaret Hospital	<del>Medium Density Residential Suburban Density Transition</del>												
b.	Specific Purpose (Airport)	a. No minimum net site area.												
c.	Specific Purpose (School)	<p>a. No minimum net site area;</p> <p>b. for activities other than education activities, the rules for the alternate zones specified in Chapter 13 apply</p>												
d.	Specific Purpose (Tertiary education)	<p>a. No minimum net site area;</p> <p>b. for activities other than education activities, the rules for the alternate zones specified in Chapter 13 apply.</p>												
e.	Specific Purpose (Golf Resort)	<p>a. No minimum net site area in the Specific Purpose (Golf Resort) Zone at Clearwater and at the Whisper Creek Golf Resort.</p> <p>b. Concept Plan</p> <p>i. No subdivision shall take place within Academy Activity Areas A, A1 &amp; A2 Whisper Creek Golf Resort shown on the development plan in Appendix 13.9.7.2 to Chapter 13.9, unless a concept plan has been lodged with and approved by the Council for that activity area in accordance with Rule 13.9.5.1.6 RD6 Concept plans.</p> <p>c. Sequencing standards – Whisper Creek Golf Resort</p>												

		<ul style="list-style-type: none"><li>i. Prior to the Council signing a section 224 certificate under the Act, for the 71st residential allotment in the Resort Community Activity Areas,<ul style="list-style-type: none"><li>A. The golf course and wetlands within the golf course shall have been constructed and planted in accordance with 13.9.5.1.6 RD6; and</li><li>B. A Management Plan for the adjoining Open Space-Margins and Water Zone shall have been lodged with and approved by the Council, which makes provision for indigenous planting (indicating</li></ul></li></ul>
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		<p>species, layout and density), and which is in accordance with the development plan for the Whisper Creek Golf Resort at <a href="#">Appendix 13.9.7.2</a> to Chapter 13.9, for a public access track along the River, for a bridleway from the Styx River to Spencerville Road, and for a bridge providing public <b>vehicle access</b> across the Styx River;</p> <p>C. 50% of the planting identified in the Management Plan for the Open Space Margins and Water Zone shall have been completed; and</p> <p>D. Legal instruments shall have been registered against the head title, securing:</p> <p>I. Public pedestrian access over the access track identified in the Management Plan, and</p> <p>II. Public access for the purpose of a bridleway from the Styx River to Spencerville Road.</p> <p>ii. Prior to the <b>Council</b> signing a section 224 certificate under the Act, for the 120th residential <b>allotment</b> in the Resort Community Activity Areas,</p> <p>A. All of the planting identified in the concept plan for <b>adjoining</b> Open Space – Margins and Water Zone approved by the <b>Council</b> shall have been completed; and</p> <p>B. The public access track, the bridleway from the Styx River to Spencerville Road and the bridge across the Styx River shall have been constructed.</p> <p>d. Any <b>subdivision</b> shall only be for the purpose of creating <b>allotments</b> to be used for any activity permitted in the zone or for which resource consent is held, or for conservation purposes, permitted <b>utilities</b> or <b>boundary</b> adjustments.</p> <p>e. <b>Allotments</b> for <b>residential units</b>, <b>resort apartments</b> or <b>resort hotel</b> bedrooms shall only be subdivided when a <b>building</b> or <b>buildings</b> are still allowable for that <b>allotment</b> within the maximum number limited specified for the zones.</p>
f.	Specific Purpose (Ōtākaro Avon River Corridor) Zone	<p>a. Within the Edge Housing Area Overlay identified in <a href="#">Appendix 13.14.6.1</a> – 330m<sup>2</sup>;</p> <p>b. On a site listed in <a href="#">Appendix 13.14.6.2</a>, and which is in private ownership, the minimum <b>net site area</b> shall be that which applies in <a href="#">Rule 8.6.1</a> Table 1 to the zoning specified as the Alternative Zone in <a href="#">Appendix 13.14.6.2</a>; or</p> <p>c. No minimum <b>net site area</b> in all other cases.</p>

**Table 5. Minimum net site area - rural zones**

	Zone	Minimum <b>net site area</b>
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a.	Rural Urban Fringe	4ha
b.	Rural Waimakariri	20ha
c.	Rural Port Hills	100ha
d.	Rural Templeton	4ha
e.	Rural Quarry (Miners Road and Pound Road)	4ha
f.	Rural Quarry (McLeans Island)	20ha
g.	Rural Banks Peninsula	<p>a. 40ha where the <b>site</b> is below or partly below the 160m contour.</p> <p>b. 100ha where the <b>site</b> is entirely above the 160m contour.</p>
h.	Papakāinga/Kāinga Nohoanga	<p>a. <b>Māori Land</b> – No minimum</p> <p>b. Other Land – as applies to Rural Banks Peninsula Zone (refer Rule 8.6.1 Table 5 Minimum <b>net site area</b> - rural zones)</p>

### 8.6.2 Allotments with existing or proposed buildings

- a. Where an **allotment** is to be created around an existing **building** (that has been constructed to the extent that its exterior is fully closed in), or a proposed **building** (where the **subdivision** consent is to be issued at the same time as, or after, the building consent for that **building** is issued):
  - i. the provisions of [Rule 8.6.1](#) do not apply to that **allotment**; and
  - ii. the existing or proposed **building(s)** shall either meet all relevant standards for a permitted activity in relation to the proposed **allotment boundaries**, or have been approved through a resource consent in relation to any standards that are not met, to the extent provided for in that resource consent, including any non-compliance with **site** coverage standards; and
  - iii. no **allotment** shall be less than the minimum **net site area** specified in Table 6 to this rule.
- b. Where a. above applies and a **building** is not yet constructed, the subdivision consent holder shall be required to erect the **building** before obtaining a certificate under section 224 of the [Resource Management Act 1991](#), and the subdivision consent shall have attached to it a condition to that effect.

**Table 6. Allotments with existing or proposed buildings**

	<b>Zone</b>	<b>Minimum net site area</b>
a.	Residential Suburban Zone (except as provided for below) <del>Low Density Residential Airport Influence Zone (except as provided for below)</del>	400m <sup>2</sup>
b.	Residential Suburban Density Transition Zone (except as provided for below) <del>Low Density Residential Airport Influence Zone – Airport Influence Density Precinct (except as provided for below)</del>	300m <sup>2</sup>
c.	Allotments for comprehensive developments provided through the Enhanced development mechanism (Chapter 14, Rule 14.13), or the Community housing redevelopment mechanism (Chapter 14, Rule 14.14)	No minimum
d.	Allotments for residential units which have been converted into two residential units in compliance with or the subject of land-use consent under Chapter 14	No minimum
e.	Allotments for a residential unit where a family flat has been converted into a separate residential unit in compliance with or the subject of land-use consent under Chapter 14	No minimum
f.	Allotments for each residential unit where two residential units replace a single residential unit in compliance with or the subject of land-use consent under Chapter 14	No minimum
g.	Allotments for a residential unit where an elderly person's housing unit has been converted to a separate residential unit that may be occupied by any person(s) in compliance with Chapter 14	No minimum
h.	<del>Allotments for a residential unit which is an older person's housing unit or is part of a multi-unit residential complex, retirement village, or a social housing complex, within the Residential Suburban or Residential Suburban Density Transition Zones</del>	<del>No minimum</del>
<b>h.</b>	<b>Future Urban Zone</b>	<b>No Minimum</b>
i.	<del>Residential Medium Density Residential Zone and High Density Residential Zone, where the 'building' is not a residential unit/s. and Residential New Neighbourhood Zone</del>	<del>No minimum 400m<sup>2</sup> in the Medium Density Residential Zone 650m<sup>2</sup> in the Residential Hills Precinct 300m<sup>2</sup> in the High Density Residential Zone</del>
j.	Industrial General, Industrial Heavy, Industrial Park, Commercial Office, <b>Neighbourhood Centre, Local Centre, Town Centre, City Centre</b> <del>Commercial Core, Commercial Local</del> , Commercial Banks Peninsula, <del>Commercial</del> Mixed use, <b>Central City Mixed Use</b> and <del>Commercial Retail Park Large Format</del> Zones	No minimum

<del>k.</del>	Specific Purpose (Airport) Zone	No minimum
<del>h.</del> <del>j.</del>	Specific Purpose (Wigram) Zone	No minimum
<del>m.</del> <del>k.</del>	Any zone within the <b>Central City</b>	No minimum

### 8.6.3 Access

- a. All **sites** shall have **access** which ~~is able to~~ allows **legal and physical access for vehicles and/or pedestrians vehicles** to pass to and from a **formed road**, and such **access** shall be in accordance with **Appendix 8.10.2** to this chapter and the standards set out in **Chapter 7**.
- b. **Access** shall not be to a state highway, limited **access road** or across a rail line.

### 8.6.4 Roads

- a. All **roads** shall be laid out, constructed and vested in accordance with the standards set out in **Appendix 8.10.3**, and in **Chapter 7**, except where alternative standards are set out in an **outline development plan**.
- b. In the Industrial Park Zone (Tait Campus) the **subdivision** shall be in accordance with the provisions of the **outline development plan** shown in Chapter 16 **Appendix 16.8.9** and specific **road** and **access** requirements as follows:
  - i. There shall be two main **vehicle access** points to the Industrial Park zoned part of the **site**. These **access** points shall be located on Wooldridge Road as indicated in Chapter 16 **Appendix 16.8.9**;
  - ii. Prior to the creation of **vehicle access** from the **site** to Stanleys Road, give way markings on the Stanleys Road approach to its intersection with Harewood Road shall be provided;
  - iii. Any **access** from Stanleys Road shall be in the locations marked on the **outline development plan** in **Appendix 16.8.9** as 'Secondary access';
  - iv. Within 6 months of **access** being established to Stanleys Road, a left turn lane shall be provided on the Stanleys Road approach to the Stanleys / Harewood Road intersection;
  - v. Any **subdivision** with **access** to Stanleys Road shall include a footpath along the **road frontage** with Stanleys Road, linking the **site** with Wairakei Road;
  - vi. All work associated with design and construction of **vehicle access** to the zone, intersection works, internal **roads** and footpaths within the zone, and a footpath along the **road frontage** of Stanleys Road carried out at the cost of the developer or their successor/s in title;
  - vii. A shared **cycle way** and footpath of minimum 2.5 metre width from Wooldridge Road to Stanleys Road shall be provided, as marked on the **outline development plan** in **Appendix 16.8.9** as 'Public shared walk and cycle connection', connecting with pedestrian and cycle facilities **adjoining** the zone;
  - viii. Any pedestrian and **cycle way** through the **site** shall be illuminated to a level between 2 and 10 lux; and
  - ix. Any **roads** or **accessways** shall be setback from trees identified on the **outline development plan** in **Appendix 16.8.9** as 'Existing trees not to be affected by road layout' by a distance of at least 10 metres.

- c. In the Industrial General Zone (Stanleys Road) shown in Chapter 16 [Appendix 16.8.9](#) a footpath along the Industrial General Zone [road frontage](#) shall be provided.
- d. In the Industrial General Zone bound by Deans Avenue and the railway line, any [allotments](#) shall only have [access](#) from Lester Lane.
- e. In the Industrial General Zone (Trents Road), [subdivision](#) shall be in accordance with the provisions of the [outline development plan](#) shown in Chapter 16 [Appendix 16.8.6](#) and specific [road](#) and [access](#) requirements as follows:
  - i. [Access](#) from Trents Road shall be provided at the two [vehicle access](#) points defined on the [outline development plan](#) shown in Chapter 16 [Appendix 16.8.6](#), comprising:
    - A. a northern [road](#) connection designed, and with [signage](#), to limit its use to vehicles entering the zone (as shown on the [outline development plan](#) in [Appendix 16.8.6](#));
    - B. a southern [road](#) connection designed, and with [signage](#), to limit its use to vehicles exiting the zone (as shown on the [outline development plan](#) in [Appendix 16.8.6](#));
  - ii. [Access](#) from Main South Road shall be provided at the one [road](#) connection shown on the [outline development plan](#) shown in Chapter 16 [Appendix 16.8.6](#), which shall be designed to restrict its use to light vehicles, and designed and [signage](#) displayed to restrict [vehicle movements](#) to left entry into the zone and left exit out of the zone as shown on the [outline development plan](#) in [Appendix 16.8.6](#); and
  - iii. An internal [road](#) shall be provided as shown on the [outline development plan](#) in Chapter 16 [Appendix 16.8.6](#) as 'internal roading / access way layout', including a footpath along one side of the internal [road](#).
- f. In the Industrial Park Zone (Wairakei Road) [subdivision](#) shall be in accordance with the provisions of the [outline development plan](#) shown in Chapter 16 [Appendix 16.8.14](#) and specific [road](#) and [access](#) requirements as follows:
  - i. Any new [road](#) within the Industrial Park Zone (Wairakei Road) shall only intersect with Wairakei Road, Stanleys Road and/or Wooldridge Road at the locations shown on the [outline development plan](#) in [Appendix 16.8.14](#) as "Road access point – Proposed controlled intersection".
  - ii. Any [subdivision](#) of [allotments](#) that the "Collector road" runs through, as shown on the [outline development plan](#) in [Appendix 16.8.14](#), shall incorporate a [collector road](#) that follows that alignment. Provision shall be made for a shared [cycle way](#) and footpath of a minimum width of 2.5m parallel to the "Collector road", which shall be illuminated to a level between 2 and 10 lux.
  - iii. Any [subdivision](#) of Lot 2, DP 54992 (580 Russley Road) and Lot 1, DP 54992 (570 Russley Road) shall incorporate a [local road](#) that follows the alignment of "Local Road" as shown on the [outline development plan](#) in [Appendix 16.8.14](#).



## 8.6.5 Service lanes, cycle ways and pedestrian access ways

- a. [Service lanes](#), [cycle ways](#) and pedestrian [access ways](#) shall be laid out and vested in accordance with the standards set out in Table 7 below.

**Table 7.**

		Minimum Legal Width (m)	Minimum Formed Width (m)	Turning Area	Passing Area	Sealed and Drained	Height (m)
a.	<a href="#">Service lanes</a>	6.0	4.0	Only where the <a href="#">service lane</a> has a blind end	No	Yes	4.5
b.	<a href="#">Cycle ways</a> and pedestrian <a href="#">access ways</a> (public)	8.0	2.5	N/A	N/A	Yes	3.5
c.	Pedestrian <a href="#">access ways</a> (private)	1.5	1.5	N/A	N/A	Yes	3.5

Advice note:

- [Chapter 7](#) (Transport) sets out requirements for the provision of [right of ways](#).

## 8.6.6 Esplanade reserve, strip or additional land

- [Esplanade reserves](#) and strips shall be provided in accordance with [Appendix 8.10.1](#).
- Within [Banks Peninsula](#), where any [allotment](#) of less than 4 hectares is created, an [esplanade reserve](#) 20 metres in width shall be set aside from that [allotment](#) along the mark of mean high water springs of the sea, and along the bank of any river or along the margin of any lake.
- In accordance with section 237A of the Act, any part of the land contained in the title to which that Section applies, forming the bed of a river or within the coastal marine area, shall vest in the [Council](#) or the Crown as appropriate.
- An [esplanade reserve](#) or esplanade strip 20 metres in width shall be required for any [subdivision](#) along the margins of Wairewa and Te Waihora.

## 8.6.7 Water supply

- All [allotments](#) shall be provided with the ability to connect to a safe potable water supply.
- Provision shall be made for sufficient water supply and access to water supplies for firefighting consistent with the [New Zealand Fire Service Firefighting Water Supplies Code of Practice \(SNZ PAS:4509:2008\)](#), except where the [allotment](#) is for a [utility](#), [road](#), [reserve](#) or [access](#) purposes.

## 8.6.8 Wastewater disposal

- a. All **allotments** shall be provided with the ability to connect to a wastewater system.
- b. A valid certificate, issued in accordance with [Rule 8.4.1.3](#), is held which certifies that the wastewater system has adequate capacity for the respective potential land uses on all proposed **allotments**, except where a relevant **outline development plan** shows that adequate wastewater capacity is available.
- c. Where a reticulated sewer is available, and discharge is accepted in the **Council's** network, each new **allotment** shall be provided with a piped outfall connection laid at least 600mm into the **net site area** of the **allotment**.
- d. Where a reticulated sewer is not available, all **allotments** shall be provided with a means of disposing of sanitary sewage within the **net site area** of the **allotment**.
- e. ~~In the case of the Meadowlands Exemplar Overlay in the Residential New Neighbourhood Future Urban Zone (North Halswell) Zone, the outfall for wastewater disposal shall be to the Pump Station 42 catchment until the South East Halswell pressure sewer network is available, at which time these sites shall be connected to the South East Halswell pressure sewer network.~~

Advice note:

1. The certification process at clause (b) is described in [Rule 8.4.1.3](#).

## 8.6.9 Stormwater disposal

- a. All **allotments** shall be provided with a means for the management of collected surface water from all **impervious surfaces**. Where discharge is accepted in the **Council's** network, each new **allotment** shall be provided with a piped outfall laid at least 600mm into the **net site area** of the **allotment**.
- b. In the Industrial General Zone (Trents Road) shown in Chapter 16 [Appendix 16.8.6](#), all stormwater discharge shall be treated and discharged to ground within the **outline development plan** area so that:
  - i. no discharge to surface water takes place from any **site** for all events up to the critical duration 2% **annual exceedance probability** event; and
  - ii. where the stormwater treatment and discharge system is to be vested in **Council**, the following requirements are met:
    - A. treatment of the first 25mm of runoff from **roads** and hardstanding areas; and
    - B. design conforms with the relevant **Council** guidelines for stormwater management systems.
- c. Creation of stormwater drainage ponding areas shall not occur within 15 metres of the rail corridor.
- d. In the Industrial Park Zone (Tait Campus), stormwater shall be treated and attenuated in accordance with the following requirements:
  - i. First flush treatment for the first 25mm of runoff from hardstanding areas shall be provided using vegetated dry sedimentation basins;

- ii. Flows in excess of the first flush and including the 50 year return events (9 hour duration) shall be attenuated in the locations defined on the [outline development plan](#) in [Appendix 16.8.9](#) as 'On site stormwater treatment and attenuation';
- iii. Stormwater discharge from the zone to the [Council](#) stormwater network shall be attenuated to pre-development levels (for up to 50 year storm events); and
- iv. Any stormwater from any activity shall be conveyed by open naturalised swales (defined on the [outline development plan](#) in [Appendix 16.8.9](#) as 'Open naturalised stormwater conveyance/swales') running through the zone from west to east via a series of basins as defined on the [outline development plan](#) in [Appendix 16.8.9](#) as 'On site stormwater treatment and attenuation' to a point defined on the [outline development plan](#) from where stormwater shall be piped to an existing drain on the east side of Wooldridge Road.

#### **8.6.10 Additional standards for South West Hornby**

- a. Any [subdivision](#) within the area shown as “rural wastewater irrigation area” on the [outline development plan](#) at Chapter 16 [Appendix 16.8.8](#) for the Industrial Heavy Zone (South West Hornby) shall not occur until the following works have been undertaken:
  - i. the construction and opening for traffic of the full southern spine [road](#) between Main South Road and Shands Road (marked as ‘C’) on the [outline development plan](#); and
  - ii. the commencement of the physical construction works for capacity upgrades at both the following intersections -
    - A. the intersection of the southern spine [road](#) and Shands Road (marked as ‘A’ on the [outline development plan](#)); and
    - B. the intersection of the northern spine [road](#) and Shands Road (marked as ‘B’ on the [outline development plan](#)).
- b. Any [subdivision](#) within the Industrial Heavy Zone (South West Hornby) as identified on the [outline development plan](#) in Chapter 16 [Appendix 16.8.8](#), south west of the area identified as “rural wastewater irrigation area” , shall not occur until the following works have been undertaken:
  - i. the commencement of the physical construction works for the traffic signalised intersection of Shands Road and the southern spine [road](#) (marked as ‘A’ on the [outline development plan](#)).
- c. Any [subdivision](#) of more than 15 hectares (excluding [roads](#)) within the Industrial Heavy Zone (South West Hornby) as identified in Chapter 16 [Appendix 16.8.8](#), south west of the area identified as “rural wastewater irrigation area”, shall not occur until physical construction works of the Christchurch Southern Motorway have commenced.

#### **8.6.11 Additional standards for the ~~Residential New Neighbourhood~~ Future Urban Zone**

- a. [Outline development plan](#)
  - i. The [subdivision](#) shall be in accordance with the development requirements specified in the relevant [outline development plan](#).

- b. Residential net density
- i. Except as provided for in (ii) - (iv):
    - A. a subdivision shall achieve a minimum net density within residential development areas of 15 households per hectare, except the subdivision of an area of land to which B applies;
    - B. a subdivision of land that the outline development plan identifies an area as development constrained, shall achieve the minimum net density (if any) specified in the outline development plan for that land (and, if the outline development plan does not specify a minimum net density for that land, no minimum density shall apply to that land).
  - ii. ~~Subdivision in the following outline development plan areas shall achieve the minimum net density specified for any specific density areas defined in the outline development plan or on an approved subdivision consent granted before 15 July 2016:~~
    - ~~A. Prestons Outline Development Plan – Appendix 8.10.25~~
    - ~~B. Wigram Outline Development Plan – Appendix 8.10.29~~
    - ~~C. Yaldhurst Outline Development Plan – Appendix 8.10.28~~
  - iii. ~~ii.~~ subdivision shall be exempt from achieving the minimum net density required in (i) ~~or (ii)~~, if the following requirements are met:
    - A. the consent application nominates site(s) within the subdivision and outline development plan area (whether or not the site(s) is/are outside any areas in (i) ~~or (ii)~~) for future higher density for the purpose of ensuring any shortfall in achieving the relevant minimum net density requirements under (i) ~~(ii)~~ through the subdivision would be made up by future subdivision and development of the nominated site(s); and
    - B. the consent application includes the written approval of each of owner of the nominated site(s) (if not the applicant) and an associated legal instrument that specifies the minimum net density for the site(s), binds all owners and the applicant, is enforceable by the Council (to the Council's reasonable satisfaction) and satisfies C hereof; and
    - C. the legal instrument effectively prevents subdivision and land use at the nominated site(s) below its specified density in order to ensure that any shortfall in achieving the relevant minimum net density requirements of (i) ~~and (ii)~~ through the subdivision can be made up by future subdivision and development of the nominated site(s), in accordance with ~~(iviii)~~.
  - iv. ~~iii.~~ The subdivision of a nominated site to which ~~(iii-ii)~~(B) applies shall achieve the minimum net density specified in the relevant legal instrument.
- ~~iv. The subdivision occurs within the residential development areas identified within the Cashmere and Worsley development area (Appendix 8.10.6) or the Moncks Spur development area (Appendix 8.10.7)~~
- c. Land area for subdivision
- i. Where the subdivision is not associated with comprehensive residential development, the land subject to the subdivision application shall have a minimum area of 4 hectares.

- ii. Where the **subdivision** is associated with **comprehensive residential development** where land use consent is being sought concurrently, the **site** being comprehensively developed and subdivided shall have a minimum **net site area** of 6,000m<sup>2</sup>.
  - iii. Where the **subdivision** is associated with **comprehensive residential development** where land use consent has already been obtained, there is no minimum **net site area** for the **site** being subdivided.
- d. **Net site area of allotments**
- i. **Allotments** shall have the minimum and, where applicable, maximum **net site area** specified in Table 8.

**Table 8: Minimum and maximum net site areas for allotments**

	<b>Activity</b>	<b>Net site area</b>
A.	All <b>subdivisions</b> unless specified below:	<ul style="list-style-type: none"> <li>a. Corner <b>allotments</b> - Minimum 400m<sup>2</sup></li> <li>b. All other <b>allotments</b> - Minimum 300m<sup>2</sup> except that 20% of <b>allotments</b> in the <b>subdivision</b> may be 180 – 299m<sup>2</sup> in size.</li> </ul>
B.	Comprehensive residential development	Nil
<del>C.</del>	<del>Within the Cashmere and Worsleys area (Appendix 8.10.6)</del>	<ul style="list-style-type: none"> <li><del>a. No more than 380 residential allotments shall be created or enabled by subdivision.</del></li> <li><del>b. No more than 380 residential units shall be created or enabled by subdivision.</del></li> <li><del>c. The historic stonewalled drain shown at Appendix 8.10.6(d) shall be protected.</del></li> </ul>
<del>D.</del>	<del>Within the Moncks Spur area shown at Appendix 8.10.7</del>	<del>a. The minimum net site area shall be 850m<sup>2</sup>.</del>
<del>C.E.</del>	Within the Highfield Outline Development Plan area (Appendix 8.10.2620), <b>allotments</b> adjacent to Hills Road and Hawkins Road.	<ul style="list-style-type: none"> <li>a. Minimum 800m<sup>2</sup></li> </ul>

	Activity	Net site area
D.	<del>Within the Prestons Outline Development Plan area (Appendix 8.10.25), in Density A and B areas defined in the <b>outline development plan</b> or on an approved <b>subdivision consent</b>:</del>	<del>a. Density A:  i. Minimum 200m<sup>2</sup>  ii. Maximum 250m<sup>2</sup>  b. Density B  i. Minimum 450m<sup>2</sup>  ii. Maximum 500m<sup>2</sup></del>
E.	<del>Within the Wigram Outline Development Plan area (Appendix 8.10.29), in Density A and B areas defined in the <b>outline development plan</b> or on an approved <b>subdivision consent</b>:</del>	<del>a. Density A:  i. Minimum 200m<sup>2</sup>  ii. Maximum 250m<sup>2</sup>  b. Density B  i. Minimum 450m<sup>2</sup>  ii. Maximum 500m<sup>2</sup></del>
F.	<del>Within the Yaldhurst Outline Development Plan area (Appendix 8.10.28):</del> <del>i. in Density A areas defined in the <b>outline development plan</b> or on an approved <b>subdivision consent</b>:</del> <del>ii. Rear lane serviced <b>allotments</b>.</del>	<del>a. Minimum 250m<sup>2</sup></del>

e. Minimum **allotments** dimension

- i. The standards below do not apply in respect of **comprehensive residential developments**.
- ii. Corner **allotments** shall have a minimum dimension of 14m on **road boundaries** (each **boundary**) except where (iii) applies.
- iii. **Allotments** for **terrace** developments shall have a minimum dimension of 7m except for **corner sites** and end **sites** which shall have a minimum width of 10m.
- iv. All residential **allotments** with a **boundary** shared with **public open space** shall have a minimum dimension along that **boundary** of 10m except mid-block **terrace allotments** which shall have a minimum dimension along that **boundary** of 7m.
- v. All other **allotments**, other than **access** or rear **allotments**, shall have a minimum dimension of 10m on **road boundaries**.
- vi. ~~In the following **outline development plan** areas, the standards in (iii) to (v) above do not apply and there is no minimum dimension for Density A and B areas defined either in the **outline development plan** or on an approved **subdivision consent**:~~
  - ~~A. Prestons Outline Development Plan **Appendix 8.10.25**~~
  - ~~B. Wigram Outline Development Plan **Appendix 8.10.29**~~
  - ~~C. Yaldhurst Outline Development Plan **Appendix 8.10.28**~~

f. Maximum cul-de-sac length

- i. Where there is a pedestrian connection from the cul-de-sac head to an adjacent street the maximum cul-de-sac length shall be 150m.
- ii. All other culs-de-sac shall have a maximum length of 100m.

g. **Road frontage** to public **reserves**

- i. The minimum **road frontage** to a public **reserve** to which the public has a general right of access (excluding local purpose **reserves** for walkways) shall be 25% of the length of the **reserve** perimeter.
- h. **Reserve width**
  - i. A **reserve** vested in **Council** for **utility**, pedestrian access or stormwater conveyance purposes shall have a minimum width of 8m.
- i. **Walkable block size**
  - i. Any block containing residential **allotments** shall have a publicly **accessible** maximum perimeter length of 800m.

### 8.6.12 Radiocommunications

- a. Any new **allotment**(s) within 1km of Radio New Zealand Limited’s facilities on Gebbies Pass Road shall be of a size and shape to allow a permitted **residential unit** (or permitted commercial/industrial activity) to be located no closer than 1km from Radio New Zealand’s facilities. This standard shall not apply to any **subdivision** carried out to enable Radio New Zealand’s operations.

### 8.6.13 Neighbourhood plan – East Papanui-Meadowlands Exemplar Overlay (North Halswell)

- a. A **Neighbourhood Plan** shall consist of the following:
  - i. **Context and Site Analysis**
  - ii. Detailed Design Statement
  - iii. Neighbourhood Plan Set

Advice note:

1. A **Neighbourhood Plan** provides the basis to understand how a larger **subdivision** is to be comprehensively developed and is an overarching document against which the combined subdivision consent and land use consent requirements for larger **sites** is assessed. The minimum area of land covered by a **Neighbourhood Plan** is 8ha.
  2. A **Context and Site Analysis** is a means for the applicant to outline details of the nature of the **site** and its setting and will provide a description of the key elements and influences of the proposed development and any relevant opportunities and constraints.
  3. The Detailed Design Statement should outline how the development’s structure and form was shaped, balancing competing influences identified in the **context and site analysis**, in conjunction with the underlying design principles. The statement should also, as required, discuss any alternative responses that may have been rejected as part of decision making process.
  4. The Neighbourhood Plan Set must include a set of plans that illustrate the design rationale within the **Neighbourhood Plan** area inclusive of matters contained within the **Context and Site Analysis** and the Detailed Design Statement.
- b. Context and **Site** Analysis

- i. Details the key existing elements and influences in the vicinity of the proposed development and explains the relationship of the comprehensive subdivision consent and land use consent application area to the surrounding area.
- ii. The **Context and Site Analysis** is required to include:
  - A. topography, natural and built environment features, views and vistas;
  - B. adjacent land use zoning and land use including required setbacks from adjacent activities and interfaces where buffers will be required;
  - C. **subdivision** pattern, internal access and block layout;
  - D. existing and potential vehicle, pedestrian and cyclist access points (including natural desire lines), **parking areas** and potential connections through the **site**;
  - E. **public open space** and **publicly accessible space**;
  - F. location of **community facilities** (shops, schools, sports and cultural facilities, etc);
  - G. existing and proposed public transport routes and stops, and public **access ways** from the bus stops to the **site**;
  - H. movement networks including vehicle, cycle and pedestrian routes;
  - I. protected **buildings**, places and objects, protected trees, **historic heritage**;
  - J. **archaeological sites**;
  - K. recognition of Ngāi Tahu cultural values, history and identity associated with specific places;
  - L. character and other existing **buildings** and structures;
  - M. **site** orientation, including a north point on the plans;
  - N. existing trees and **landscaping** to be retained;
  - O. hazardous features, such as areas of soil contamination, unstable land and overhead power lines; and
  - P. climatic conditions – including prevailing winds.
- c. Detailed Design Statement must include:
  - i. An overall vision statement for the **site** which identifies key deliverables/outcomes which may be linked to **Resource Management Act 1991** outcomes (objectives and policies) or **site** specific outcomes (giving a clear steer to buyers and developers that these outcomes would be secured via covenants or other binding mechanisms).
  - ii. An analysis in support of the overall development structure provided by the **Outline Development Plan**, and more refined development proposal for the area that is covered by the **Neighbourhood Plan** including urban form, movement network, open space, and infrastructure.
  - iii. An analysis of **allotment** arrangement, size and allocation of defined housing typologies. The **Neighbourhood Plan** should contain sufficient analysis to demonstrate that relevant development



standards in the **subdivision** and residential chapters can be met (notably those related to daylight and **outdoor living space**).

- d. Neighbourhood Plan Set.
  - i. A set of plans to accompany the detailed design statement including:
    - A. **Allotment** arrangement
    - B. **Allotment** size
    - C. Allocation of housing typologies
    - D. **Landscaping**
    - E. Shading Analysis
    - F. Movement network (including cross sections)
    - G. Infrastructure (including cross sections)
    - H. Open Space

#### **8.6.14 Industrial General Zone (North Belfast) - Wāhi taonga, wāhi tapu and urupā**

- a. A protocol with Te Ngāi Tūāhuriri Rūnanga, comprising the following, shall be implemented:
  - i. The person responsible for the works shall advise the Te Ngāi Tūāhuriri Rūnanga of the proposed works, and, if requested by the Rūnanga, within 20 working days of the Rūnanga receiving advice of the proposed work in writing, agree to any request for:
    - A. a representative approved by the Rūnanga and contracted by the person responsible for the works to be present during the **subdivision** and/or **earthworks** to act as an advisor in the identification or protection of wāhi tapu, wāhi taonga, urupā, or historic cultural sites; and
    - B. any matters of protocol which tangata whenua wish to undertake in relation to the commencement, during the course of, or at the end of, any **subdivision** and/or **earthworks**.
  - ii. The person responsible for the works shall ensure that all persons working on-site have received training, including the requirement to monitor activities to enable the identification of wāhi tapu, wāhi taonga, urupā, or cultural sites.
  - iii. A copy of this protocol shall be provided to all staff and contractors involved in **subdivision** or **earthworks** activities on-site prior to them coming on-site.
  - iv. Immediately following the discovery of material suspected to be taonga, kōiwi, or Māori **archaeological site**, the following steps shall be taken:
    - A. All work on-site will cease immediately;
    - B. Immediate steps will be taken to secure the site to ensure the archaeological material is not further disturbed;
    - C. The person responsible must notify Te Ngāi Tūāhuriri Rūnanga and the Area Archaeologist of Heritage New Zealand Pouhere Taonga and provide access to those parties to confirm the

nature of the discovered materials. In the case of kōiwi (human remains), the New Zealand Police must also be notified;

- D. There shall not be any **earthworks** operations in the affected area until Te Ngāi Tūāhuriri Rūnanga representatives, the Police and Heritage New Zealand Pouhere Taonga staff have each given notice to the person responsible that the **earthworks** may recommence; and
- E. Any person responsible for the works shall abide by any decision of Te Ngāi Tūāhuriri Rūnanga representatives and the archaeologist as to what happens to any kōiwi tangata discovered.

Advice note:

- 1. An Archaeological Authority may be required under the [Heritage New Zealand Pouhere Taonga Act 2014](#).
- 2. The 'person responsible', when used in this protocol, means the consent holder, where a resource consent has been issued for the **subdivision** or **earthworks** concerned or the landowner when the **earthworks** are a permitted activity.

### **8.6.15 North Halswell**

- a. **Any subdivision within the Medium ~~Density~~ Density Residential or High Density Residential Zones ~~adjacent~~ adjacent to the North Halswell ODP in Appendix 8.10.4 south of Halswell Road and Hendersons Road and north of Milns and Sparks Road must be in accordance with the following Development Requirements 8.10.4.D where relevant:**
  - i. **3. OPEN SPACE, RECREATION AND COMMUNITY FACILITIES, ~~3.a and b(a) and (b)~~**
  - ii. **4. ACCESS AND TRANSPORT ~~4a-g(a)-(g)~~**
  - iii. **5. STORMWATER, ~~5.a-f(a)~~**

## 8.7 Rules as to matters of control — subdivision

- a. When considering applications for controlled activities, the Council's power to impose conditions is restricted to the matters over which control is reserved as set out in the table in Rule 8.5.1.2 and as set out for that matter below.

### 8.7.1 Boundary adjustments

- a. Whether access to the sites will continue to be appropriate and safe.
- b. Whether each allotment has connections to services.
- c. Whether the allotments are of sufficient size and dimension to provide for the existing or proposed purpose or land use.
- d. The degree to which natural topography, drainage and other features of the natural environment, sites of Ngāi Tahu cultural significance identified in Appendix 9.5.6, or existing built features of significance, determine site boundaries where that is practicable.
- e. The relationship of the proposed allotments within the site and their compatibility with the pattern of the adjoining subdivision and land use activities.

### 8.7.2 Conversion of tenure, alteration of cross leases, company leases and unit titles

- a. Whether each title or leased area has ~~vehicle access~~ **legal and physical access for vehicles and/or pedestrians to formed road**, and whether there is any decrease in formed width, parking areas, or manoeuvring areas which materially compromises function or safety.

- b. Whether each title or leased area has access to services.
- c. Whether any reduction in title or leased area ~~would be reduced in area or dimension in a manner which might result in a more than minor reduction in~~ materially compromises functionality or amenity in relation to outdoor living space, outdoor service space or outdoor storage area.
- d. Whether fire safety requirements can be met.
- e. Effects of works associated with the subdivision on:
  - i. surface and subsurface drainage patterns and stormwater management; and
  - ii. hydrological and geological features, both underlying and surface and on the site and on adjoining sites.

### 8.7.3 Allotments for access, utilities, roads and reserves

- a. Whether the allotments (including any balance allotment) are of sufficient size and dimension to provide for the existing or proposed purpose.
- b. Whether any easement is required.
- c. The relationship of the proposed allotments within the site and their compatibility with the pattern of the adjoining subdivision and existing or anticipated land use activities, including in relation to safety and visibility.

### 8.7.4 General matters

#### 8.7.4.1 Subdivision design

- a. Whether the allotments (including any balance allotment) are of sufficient size and dimension to provide for any existing land use or a permitted land use such as might reasonably be expected to establish on a site, and provision of access, storage space and service connections.
- b. Whether the dimensions and orientation of the allotments will ensure the capture of solar gain appropriate to the subsequent land uses.
- c. Outside the Central City, whether any corner allotments have an appropriate corner rounding.
- d. The relationship of the proposed allotments within the site and their compatibility with the pattern of the adjoining subdivision and land use activities.
- e. The degree to which natural topography, drainage and other features of the natural environment, sites of Ngāi Tahu cultural significance identified in Appendix 9.5.6, or existing built features of significance, determine site boundaries where that is practicable.
- f. Whether any local purpose reserves, or easements are required, such as for services, stormwater, access, party walls, floors or ceilings, and that they are sufficiently designed for their purpose.

- g. The extent to which the **subdivision** design mitigates adverse effects, including **reverse sensitivity** to nearby **National Grid** or **electricity distribution lines** shown on the Planning Maps, Radio New Zealand Limited's Gebbies Pass Road facilities or other **strategic infrastructure**.
- h. In an **outline development plan** area **in the Future Urban Zone**, integration and connection to and within the **site** and whether the **subdivision** would preclude or discourage development in another part of the **outline development plan** area **in the Future Urban Zone**.
- i. The extent to which conditions are appropriate on a **subdivision** consent in a **Residential New Neighbourhood Future Urban** Zone in order to give effect to the development requirements specified in the relevant **outline development plan**.
- j. The extent to which the **subdivision** in a **Residential New Neighbourhood Future Urban** Zone is designed in accordance with the principles in **8.8.9 Residential New Neighbourhood Future Urban** Zone.
- k. In zones other than the **Residential New Neighbourhood Future Urban** Zone, the extent to which a development needs to comply with any flexible element of an **outline development plan**, including for phasing or location of infrastructure or other internal elements; and consideration of the effects of the movement of any elements on other landowners of land located within or adjacent to the **outline development plan area**, or on the safe, efficient or effective operation of infrastructure.
- l. Outside the **Central City**, whether the application provides **allotments** of a size and dimension that promotes **building** typologies with a high level of visual interaction with the street and other public spaces, while providing for a cohesive street scene and neighbourhood.
- m. Outside the **Central City**, whether the **subdivision** meets the required household density target, the housing typologies proposed to meet that target and location and mix of typologies within the **subdivision**, including whether the typologies cater for all life stages, physical abilities, and opportunities for socio-economic diversity.
- n. In the **Residential New Neighbourhood Future Urban** Zone, the means of achieving overall **outline development plan** densities as required by **Policy 8.2.2.87**, including the adequacy of any legal mechanism proposed to give effect to a density transfer or density staging proposal.
- o. Outside the **Central City**, where the **allotment** is to be used for residential purposes, whether the application supports the provision of residential **allotments** which would allow garaging and parking to be secondary to **habitable spaces** both with respect to size and expression of form, and which are able to be incorporated into the overall **building** design especially when accessed directly from the street.
- p. Whether fire safety requirements are met in relation to the conversion of existing **residential units** into multiple **residential units**.
- q. Outside the **Central City**, the extent to which the **subdivision** design and construction allows for **earthworks**, **buildings** and structures to comply with the **New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001)**.
- r. Where the **subdivision** is of land which includes a **Site of Ngāi Tahu Cultural Significance** identified in **Appendix 9.5.6**, the matters set out in **Rule 9.5.5** as relevant to the site classification:
  - i. **Rule 9.5.5.1** - Wāhi Tapu / Wāhi Taonga, Mahaanui Iwi Management Plan Silent Files and Kaitōrete Spit;
  - ii. **Rule 9.5.5.2** - Ngā Tūranga Tūpuna; and

iii. [Rule 9.5.5.3](#) - Ngā Wai.

#### 8.7.4.2 Hazard constraints

- a. For any [site](#) that has been identified as contaminated or [potentially contaminated](#), whether the [site](#) is safe for habitation, and the adequacy of any proposed mitigation and remediation.
- b. The extent to which any hazard or geotechnical constraints exist on the land and the appropriateness of measures to reduce risk, including liquefaction, flooding, rockfall, cliff collapse and other matters addressed in [Chapter 5](#) (Natural Hazards).

#### 8.7.4.3 Servicing and infrastructure

- a. Whether each [allotment](#) has appropriate servicing and connections to water supply, wastewater disposal, stormwater management systems and other services; whether it is necessary to provide or upgrade services or [utilities](#) to enable the [allotment](#) to be serviced, and whether the design, location, capacity, type and construction of services and infrastructure, including the suitability of the proposed water supply for fire-fighting purposes, and any required infrastructure upgrades, are acceptable to the [Council](#).
- b. Whether the electricity and [telecommunications](#) supply and connection to any new [allotment\(s\)](#) are appropriate and provide adequate capacity, including whether it is appropriate to require additional space for future connections or technology and whether any ducting or easements are required to achieve connection.
- c. Whether appropriate provision is made for onsite storm water treatment or connection to a catchment based treatment network.
- d. Outside the [Central City](#), the contribution of proposals towards the development of an integrated naturalised surface water network of soil absorption, sedimentation and detention basins, wet-ponds, swales and/or [wetlands](#) to treat and manage surface water and avoid (where practicable) a proliferation of smaller facilities.
- e. Outside the [Central City](#), the extent to which the construction or erection of [utilities](#) for servicing a [site](#) incorporate and/or plant appropriate [indigenous vegetation](#).
- f. Outside the [Central City](#), whether any proposed ponding area will be attractive to birdlife that might pose a [birdstrike](#) risk to the operation of Christchurch International Airport Limited.
- g. Outside the [Central City](#), where wastewater capacity is close to reaching a limit, whether to reduce the lapsing period of the [subdivision](#) consent below five years to enable that capacity to be utilised by others if the development opportunity that is the subject of the consent is not implemented.
- h. The ability for maintenance, inspection and upgrade of [utilities](#) and infrastructure occur, including ensuring continued access for the same.
- i. The extent to which the design will minimise risk or injury and/or property damage from [utilities](#) or infrastructure.
- j. The extent to which potential adverse effects of electricity lines, including visual impacts, are mitigated, for example through the location of [building](#) platforms and landscape design.

- k. The suitability of the proposed water supply for fire-fighting purposes (the Council may obtain a report from the Chief Fire Officer), including the extent of compliance with SNZ PAS:4509:2008 in respect of the health and safety of the community, including neighbouring properties.
- l. The extent to which conditions are appropriate on a subdivision consent in a ~~Residential New Neighbourhood Future Urban~~ Zone in order to give effect to the development requirements specified in the relevant outline development plan.
- m. In zones other than the ~~Residential New Neighbourhood Future Urban~~ Zone, the extent to which a development needs to comply with any flexible element of an outline development plan, including for phasing or location of infrastructure; and consideration of the effects of the movement of any elements on other landowners of land located within or adjacent to the outline development plan area, or on the safe, efficient or effective operation of infrastructure.
- n. Within the Lyttelton Port Influences Overlay, the imposition of an appropriate, volunteered condition prohibiting noise sensitive activities on the allotments, to be complied with on a continuing basis, for the purpose of incorporation into a consent notice to be issued by the Council.
- o. Whether wastewater disposal and stormwater management systems recognise the cultural significance of Ngā Wai sites of Ngāi Tahu cultural significance identified in Schedule 9.5.6.4, and do not create additional demand to discharge directly to Ngā Wai.

#### 8.7.4.4 Transport networks

- a. Whether the provision, location, design, safety and efficiency of any road, frontage road, access (including access for fire-fighting), pedestrian access way, service lane, cycle way/route/lane, corner rounding, intersections, landscaping or parking area including the formation and construction, is suited to the development it serves and is acceptable to the Council.
- b. Whether service lanes, cycle ways and pedestrian access ways are required or appropriate and are located and constructed in a safe and efficient manner.
- c. Whether the subdivision layout and road network supports walking, cycling and public transport, including access to reserves, facilities, commercial areas, public transport facilities.
- d. Whether provision of a cycle way or pedestrian access way encourages active modes of transport, including to community facilities.
- e. Any works or upgrades to the Council's road network required, including in relation to any network utility, state highway or rail line.
- f. In the case of multiple site subdivision where parking is provided as a common facility, whether that parking area has appropriate access to a formed road and has an appropriate layout and number of parking spaces.
- g. For the Industrial General Zone (Stanleys Road) and Industrial Park Zone (Tait Campus): the extent of the developer's contribution to the costs of Wairakei/Wooldridge Roads intersection upgrading will be agreed with the Council in accordance with the Council Development Contribution Policy, which may include a Private Developer Agreement.

- h. The extent to which conditions are appropriate on a subdivision consent in a **Residential New Neighbourhood Future Urban** Zone in order to give effect to the development requirements specified in the relevant **outline development plan**.
- i. In zones other than the **Residential New Neighbourhood Future Urban** Zone, the extent to which a development needs to comply with any flexible element of an **outline development plan**, including for phasing or location of internal elements; and consideration of the effects of the movement of any elements on other landowners of land located within or adjacent to the **outline development plan** area, or on the safe, efficient or effective operation of transport networks.

#### **8.7.4.5 Open space, reserves and recreation (including esplanade reserves, strips or additional land)**

- a. Outside the **Central City**:
  - i. The need, type, location and layout of any land to be provided for **reserves** for open space and recreation purposes, including whether an active frontage is provided and any requirements for the formation of that land prior to it vesting in the **Council**, where applicable.
  - ii. The degree to which the **subdivision** encourages active frontages to **reserves** for open space and recreation purposes.
  - iii. The provision and/or width of an **esplanade reserve** or esplanade strip.
  - iv. The manner in which the **subdivision** responds, in particular, to the place making and context, block layout, and relationship to street and **public open spaces**.
  - v. Any impact of **subdivision** works on land for open space and recreation, on **sites** or areas of cultural value to tangata whenua, or on waterways, **springs, sites of Ngāi Tahu cultural significance** identified in **Appendix 9.5.6, indigenous biodiversity**, mahinga kai and the coastline.
  - vi. The need for land to be set aside and vested in the **Council** as a **reserve** for open space and/or recreation where it will provide for one or more of the following:
    - A. land for a local neighbourhood park, **accessible** to the user population and of a size adequate to accommodate children's play equipment, substantial tree plantings and open space;
    - B. a linkage or potential linkage along or to significant natural features, or between other areas of **public open space** and **community facilities**;
    - C. protection and enhancement of significant mature trees, significant areas of **indigenous vegetation**, margins of waterways or other significant natural features;
    - D. protection or enhancement of historic or cultural features of significance to the population;
    - E. a usable area of open space for planting as visual relief from a built or highly developed environment;
    - F. a flat usable area of land for district sports fields, **accessible** with full **road** frontage, and of a size adequate to accommodate at least two rugby-sized sports fields and associated user facilities and training field, tree planting, a playground and open space required for other **recreation activities**;



- G. recognition of Ngāi Tahu cultural values, and historic and contemporary identity associated with sites of Ngāi Tahu cultural significance identified in Appendix 9.5.6; and
  - H. smaller sized public spaces that allow for community interaction, including seating and planted areas.
- vii. Whether appropriate mechanisms are in place to ensure the maintenance of open space areas and reserves not being vested in Council.
  - viii. The extent to which conditions are appropriate on a subdivision in a Residential New Neighbourhood Future Urban Zone in order to give effect to the development requirements specified in the relevant outline development plan.
  - ix. In zones other than the Residential New Neighbourhood Future Urban Zone, the extent to which a development needs to comply with any flexible element of an outline development plan, including for phasing or location of internal elements; and consideration of the effects of the movement of any elements on other landowners of land located within or adjacent to the outline development plan area, or on the safe, efficient or effective operation of open space and reserves.

#### 8.7.4.6 Natural and cultural values

- a. The extent to which springs are protected, maintained and enhanced, including in relation to ecological, cultural and amenity values and the extent to which the development provides for pathways, for the water to flow from the spring head, that have regard to the existing natural flow path.
- b. Any adverse effects of the proposal on the quality of surface and ground water, mahinga kai, including within waterways, on drainage to, or from, adjoining land, existing drains, waterways, and/or ponding areas.
- c. The extent to which the proposal would protect and provide for the flood storage and conveyance capacity of waterways, or on drainage to, or from, adjoining land, existing drains, waterways, and/or ponding areas.
- d. The extent to which the proposal manages erosion and sediment discharge to waterways.
- e. Recognition of Ngāi Tahu's history and identity and cultural values.
- f. The extent to which Ngāi Tahu cultural values associated with waterways, springs, indigenous biodiversity and mahinga kai are protected.
- g. The extent to which the subdivision enables the retention of archaeological sites.
- h. The manner in which the subdivision responds to values provided for in Chapter 9 (Natural and Cultural Heritage), including any requirement for a consent notice where a condition is to be complied with on a continuing basis.
- i. In relation to the removal of consent notices created through subdivision to protect trees whether the effect on amenity values can be offset by other trees on or surrounding the site or the replacement of the tree or trees with appropriate species on-site or other appropriate locations. The appropriateness of species will include consideration of the time required for any new trees to reach a size where the negative impact of tree removal would be offset.

- j. In relation to the Industrial General Zone (North Belfast) only, whether a protocol has been agreed with Te Ngāi Tūāhuriri Rūnanga for managing any accidental discovery. This may include a cultural monitor, who shall be a representative approved by Te Ngāi Tūāhuriri Rūnanga and contracted by the applicant to be on-site if deemed necessary by the Rūnanga.
- k. Where the **subdivision** is of land which includes a **Site of Ngāi Tahu Cultural Significance** identified in **Appendix 9.5.6**, the matters set out in **Rule 9.5.5** as relevant to the site classification:
  - i. **Rule 9.5.5.1** - Wāhi Tapu / Wāhi Taonga, Mahaanui Iwi Management Plan Silent Files and Kaitōrete Spit;
  - ii. **Rule 9.5.5.2** - Ngā Tūranga Tūpuna; and
  - iii. **Rule 9.5.5.3** - Ngā Wai.

#### **8.7.4.7 Consent notices**

- a. The requirement for any consent notice where a condition is to be complied with on a continuing basis.

#### **8.7.5 Additional matters — industrial zones**

- a. Industrial Park Zone (Awatea)
  - i. The adequacy of **site** investigation.
  - ii. The risk to the health and safety of any persons.
  - iii. The suitability of remedial and/or **site** management measures to be undertaken to make the **site** suitable for the intended purposes and to ensure the protection of mahinga kai, water, and ground water quality during the remediation process.
  - iv. Whether the **subdivision** disposes of wastewater to **Council's** reticulated system and the capacity of that system.
- b. Industrial General Zone (Waterloo Park)
  - i. The use of conditions to require implementation of the planting plan along the full **frontage** of Pound Road (including that area covered by **Appendix 16.8.2** Industrial General Zone (Waterloo Park)), prior to the issue of a Section 224 certificate.
  - ii. The Pound Road **frontage** affected by a proposed **road** realignment shall be subject to a condition that planting is not implemented until such time as the final location of the realignment is confirmed and the **road** is constructed.
  - iii. Whether the landscape plan appropriately identifies plant species, density of planting, and the planting and maintenance programme - including irrigation, weed control and replacement of dead and diseased plants.
  - iv. For any application to create new **allotments** for commercial or industrial activities which are located wholly between Pound Road and the internal **road** immediately to the east of Pound Road (as shown on Chapter 16 **Appendix 16.8.2**, whether the application is accompanied by a landscape plan for:

- A. the area of land identified the Chapter 16 [Appendix 16.8.2](#) requiring specific landscape treatment and whether the plan submitted is in accordance with the design shown on the [outline development plan](#);
- B. the balance of any new [allotment frontage](#) areas located within 10m of the Pound Road [boundary](#) that are not already covered by the specific landscape plans required at (a) above;
- v. Conditions on implementation need not be imposed on the portion of [frontage](#) subject to Chapter 16 [Appendix 16.8.2](#) if planting in full accordance with [Appendix 16.8.2](#) has already been established.
- vi. These conditions should also require that such [landscaping](#) be irrigated for a minimum of five years from the time of planting to ensure the [landscaping](#) is able to become established.
- vii. The extent to which the proposed landscape treatment will be effective in softening and / or screening any future [buildings](#) and creating a quality rural/urban interface as viewed by users of Pound Road and occupiers of the [adjoining](#) land.
- viii. The extent to which the proposed landscape treatment includes a mix of canopy specimen trees and under planting and contributes to [indigenous biodiversity](#).
- ix. The number and spacing of specimen trees. In general this should meet the minimum criteria set out in Chapter 16 [Rule 16.4.2.6](#) (Landscaped areas).
- x. The extent to which the proposed landscape design will ultimately achieve a consistent and high quality landscape treatment along the entire Industrial General Zone [frontage](#) of Pound Road. In general this shall include:
  - A. a predominance of evergreen species with a lesser proportion of deciduous specimen trees;
  - B. adoption of a sustainable planting and maintenance plan which minimises energy inputs such as irrigation and fertiliser;
  - C. a planting pattern and species choice that it is simple and bold so as to provide design continuity and consistency and is in general accordance with the [landscaping](#) shown on Chapter 16 [Appendix 16.8.2](#);
  - D. the use of plants that are readily available;
  - E. the use of plants that are adapted to local soils, namely Templeton soil type;
  - F. the use of plants that are naturally drought and disease resistant;
  - G. a planting pattern and density of plants that will result in a landscape outcome that is aesthetically pleasing with no avoidable gaps; and
  - H. trees are able to attain sufficient height to soften the appearance of [buildings](#).
- xi. The design and layout of the [subdivision](#) and whether the [subdivision](#) is in accordance with Chapter 16 [Appendix 16.8.2](#)
- c. Industrial Heavy Zone (South West Hornby)
  - i. The extent to which the development has an adverse effect on the function, capacity and safety of the internal and [adjoining road](#) network.
  - ii. The extent to which the measures for mitigating the effects of development support a comprehensive and integrated approach to development of the South West Hornby industrial area.

- iii. The extent to which the development affects the construction and future operation of the Movement network as shown on the [outline development plan](#), including whether it provides opportunities for walking, cycling and public transport use.

### 8.7.6 Additional matters — rural zones

- a. The inclusion of a consent notice on the title or balance to limit the ability for further [subdivision](#) additional [residential units](#) or to protect open rural character, areas of [significant indigenous vegetation](#) and significant habitats of [indigenous fauna](#), ecological corridors, [sites of Ngāi Tahu cultural significance](#), public access connections to the coast or connections to public walking/cycling networks including alignment with the [Council's Public Open Space Strategy 2010-2040](#), and the positive effects of the protection of the [allotment](#).
- b. The extent to which an [identified building area](#) can be accommodated within the proposed [allotment](#) and its location in relation to surrounding land uses, rural character, sites of cultural significance, sites of ecological significance, significant or outstanding natural features or landscapes.
- c. The extent to which clustering or grouping development is beneficial to the continuation of [rural productive activities](#), including the ability to use versatile soils, and to manage adverse effects on areas of outstanding natural landscapes and the elements of natural character such as [indigenous vegetation](#), landform, waterways and [wetlands](#).
- d. The visual impact of [buildings](#), development and associated works and the extent to which additional restrictions on location, scale and design of [buildings](#) are necessary.
- e. The extent to which the [subdivision](#) will lead to development of [sensitive activities](#) that will increase the potential to create [reverse sensitivity](#) effects in relation to the ability to utilise land for [rural productive activities](#) and in relation to surrounding permitted and existing activities.
- f. The benefits of consolidation of smaller titles to create larger [allotments](#).
- g. The extent to which the proposal is consistent with the objectives and policies of [Chapter 17 Rural](#).
- h. Whether the layout of the [subdivision](#) provides for [allotments](#) that result in sufficient separation between [buildings](#), particularly residential [buildings](#) and curtilage, to maintain rural character relevant to the surrounding area and zone and avoids a form of development that results in a character of residential large-lot development.

### 8.7.7 Additional matters — coastal environment and Ngā Wai - Te Tai o Mahaanui

- a. The nature, extent and implications of coastal hazards relevant to the [site](#).
- b. The effectiveness of any [coastal hazard mitigation works](#) proposed.
- c. The design of proposed works including [buildings](#), [coastal hazard mitigation works](#), and [roads](#).
- d. The nature of any existing or proposed coastal hazard mitigation or [earthworks](#), engineering design, and their effects on safety and vulnerability of the [site](#) and adjacent [sites](#).
- e. The effects of development on surface and subsurface drainage patterns and stormwater management.

- f. The adequacy of drainage and sediment control measures.
- g. The ability of the [site](#) to accommodate stable, accessible and serviceable [identified building area](#).
- h. The extent to which the works will lead to removal of vegetation, topsoil or sand, or the modification of ecosystems or natural character, or adverse landscape and visual effects.
- i. The extent to which the activity or works would impact on public or recreational access, where available, or sites of historical significance.
- j. The effects of any development on public access to and along the landward boundary of the coastal marine area.
- k. The effects of any development on the natural character of the coastal environment.
- l. The effects of any development on [historic heritage](#) within the coastal environment.
- m. The effects of any development on [sites of Ngāi Tahu cultural significance](#) identified in [Appendix 9.5.6](#).
- n. The matters set out in [Rule 9.5.5.3](#) in relation to Ngā Wai - Te Tai o Mahaanui [sites of Ngāi Tahu cultural significance](#) identified in [Schedule 9.5.6.4](#).

### **8.7.8 Additional matters — character areas**

- a. Whether the [site](#) size retains the special characteristics of the area including:
  - i. the distinctive topographic qualities and landforms or features that contribute to landscape quality and built form of the area.
  - ii. the form, pattern and grain of [subdivision](#), including the size of [sites](#).
  - iii. the ability to achieve the characteristic balance of [buildings](#) to open space across the [site](#).
  - iv. the retention of large scale mid block vegetation and tree planting.
  - v. the continuity and coherence of the area.
  - vi. provision of a front yard [building setback](#) which is consistent with the pattern of the Character Area and which is available for tree and garden planting rather than garaging, car parking and manoeuvring.
  - vii. the ability to locate a dwelling on the [site](#) that achieves the architectural characteristics of the Character Area, including the relationship to the street.

### **8.7.9 Additional matters — Specific Purpose (Golf Resort) Zone at Christchurch Golf Resort**

- a. Whether the location of an [identified building area](#) is fully contained within the [boundaries](#) of the Resort Community and Academy Activity Areas.
- b. Whether it is appropriate to require a legal instrument be registered against the head title securing public pedestrian access over the access track identified in the development plan.

- c. Whether it is appropriate to require a legal instrument be registered against the head title securing a bridleway from the Styx River to Spencerville Road, as shown on the development plan.

### 8.7.10 Additional matters — Cashmere and Worsleys Development Plan area

- a. Whether upgrades to the road network and access restrictions shown on the development plan are necessary, including:
  - i. Whether access onto Shalamar Drive from the development plan should be restricted.
  - ii. Whether Worsleys Road should be realigned in accordance with the "Required Roads" shown in [Appendix 8.10.76](#).
  - iii. Whether the Hoon Hay, Cashmere and Worsleys Roads intersection requires upgrading (refer to [Appendix 8.10.76](#)).

### ~~8.7.11 Additional matters — Moncks Spur Development Plan area~~

- ~~a. Whether upgrades to the road network and access restrictions shown on the development plan are necessary, including:
  - ~~i. Whether access via Horizon Heights (Lot 7 DP 64814) is necessary and appropriately secured and vested.~~
  - ~~ii. Whether it is appropriate to form and vest in the Council a continuous through road from Mt. Pleasant Road between the intersections with Moncks Spur Road and Major Hornbrook Road to Horizon Heights.~~~~

### ~~8.7.118-7.12~~ Tree canopy cover and financial contributions

- a. For subdivision within any residential zone in the Christchurch City area of the Christchurch District that is outside a new greenfield residential subdivision or a brownfield site subject to comprehensive residential development where:
  - i. new roads have been / will be created; and
  - ii. where one or more allotments contains or is able to contain a ground floor residential unit, whether permitted or approved by a resource consent, or for which land use resource consent is being concurrently sought,

whether a minimum tree canopy cover of 20% of the development site area shall be provided on each allotment/development site in accordance with Rule 6.10A.
- b. For subdivision within any residential zone in the Christchurch City area of the Christchurch District that is a new greenfield residential subdivision or a brownfield site subject to comprehensive residential development where:
  - i. new roads have been / will be created; and

- ii. where one or more allotments contains or is able to contain a ground floor residential unit, whether permitted or approved by a resource consent, or for which land use resource consent is being concurrently sought,

whether a minimum tree canopy cover of 20% of the development site area shall be provided on each allotment/development site, and an additional tree canopy cover equivalent to 15% of the road corridor area shall be provided in the future road corridor/s in accordance with Rule 6.10A.

- c. Where the required tree canopy cover is not provided in full or in part, whether financial contributions, as set out in Rule 6.10A.4, are paid in lieu of tree planting prior to the issue of a certificate pursuant to section 224 of the Resource Management Act 1991.

### 8.7.128-7.13 Additional matters — Medium and High Density Residential Zones in North Halswell

- a. The extent to which Whether the subdivision addresses the matters in 8.10.4.C DEVELOPMENT FORM AND DESIGN (a) ii and (a) v-xvi.

## **8.8 Rules as to matters of discretion — subdivision**

- a. When considering applications for restricted discretionary activities, the Council's power to grant or decline consent is restricted to the matters over which discretion is specifically restricted for that purpose in the table in Rule 8.5.1.3 and as are set out for those matters in Rule 8.8 below.
- b. When considering applications for restricted discretionary activities, the Council's power to impose conditions on the consent is restricted to the matters over which discretion is specifically restricted for that purpose in the table in Rule 8.5.1.3 and as are set out for those matters in Rule 8.7 (matters of control to be treated as matters of discretion) and Rule 8.8 below.

### **8.8.1 Boundary adjustments**

- a. Whether access to the sites will continue to be appropriate and safe.
- b. Whether each allotment has connections to services.
- c. Whether the allotments are of sufficient size and dimension to provide for the existing or proposed purpose or land use.
- d. The degree to which natural topography, drainage and other features of the natural environment, sites of Ngāi Tahu cultural significance identified in Appendix 9.5.6, or existing built features of significance, determine site boundaries where that is practicable.
- e. The relationship of the proposed allotments within the site and their compatibility with the pattern of the adjoining subdivision and land use activities.

## 8.8.2 Property access

- a. The location, safety and efficiency of any **access**, including whether the location, formation and construction is suited to the development it serves, and whether any associated works or upgrades are required.
- b. The provision of vehicular **access** to all properties, including for fire fighting purposes, unless topography of the ground prevents such **access** to any part of the **site** (including non-contiguous areas of a **site**).
- c. In case of multiple **site subdivision** where parking is provided as a common facility, whether that **parking area** has appropriate **access** to a **formed road**.
- d. The safety and efficiency of state highways, limited access **roads** and rail corridors.

## 8.8.3 Roads

- a. Whether the provision, location, design, safety and efficiency of any **road**, frontage **road**, corner rounding, intersections or **landscaping**, including the **formation** and construction, is suited to the development it serves.
- b. Whether new **roads** or upgrades to existing **roads** are required, including in relation to any network **utility**, state highway or rail line.
- c. Whether new **roads** are appropriately routed and integrate safely and efficiently with the existing **road** network.
- d. Whether new or upgraded **roads** are satisfactorily designed and constructed, including providing a safe environment for **road** users and pedestrians, and are acceptable to the **Council**.
- e. Whether **subdivision** layout and new or upgraded **roads** provide for public transport, cycling and walking, where appropriate, including access to **reserves**, facilities, commercial areas, and **public transport facilities**.

## 8.8.4 Service lanes, cycle ways and pedestrian access ways

- a. Whether **service lanes**, **cycle ways** and pedestrian **access ways** are required or appropriate, and whether their provision, location, design, safety and efficiency, including the formation and construction, is suited to the development it serves.
- b. Whether the **subdivision** layout and access network supports walking, cycling and public transport, including access to **reserves**, facilities, commercial areas, **public transport facilities**.
- c. Whether provision of a **cycle way** or pedestrian **access way** encourages active modes of transport, including to **community facilities**.
- d. Whether **service lanes**, **cycle ways** and pedestrian **access ways** are satisfactorily designed and constructed, including providing a safe environment for **road** users and pedestrians, and are acceptable to the **Council**.



### 8.8.5 Esplanade reserves, strips or additional land

- a. The appropriateness of esplanade provision where the **subdivision** is a minor **boundary** adjustment, for minor additions to existing cross lease or unit titles, a reallocation of **accessory buildings** to different units, or is necessary because **garages** are erected in locations shown on earlier survey plans for an existing cross lease or unit title, where an existing strip agreement is varied or where no additional **sites** are being created by the **subdivision**.
- b. The provision and / or width of an **esplanade reserve** or esplanade strip, having regard to:
  - i. the existing or anticipated development, water quality, habitats, ecological or natural values, conservation values, wāhi tapu, mahinga kai, customary access and other taonga, topography and landscape;
  - ii. public safety or the security of property;
  - iii. recreational use;
  - iv. the existence or mitigation of natural hazards; and
  - v. any existing or proposed **reserve** or access to that **reserve**;
  - vi. any **sites of Ngāi Tahu cultural significance** identified in [Appendix 9.5.6](#).
- c. Whether the costs of the provision and maintenance of a 20 metre wide **esplanade reserve** or esplanade strip are more than the potential public benefits of the purposes of **esplanade reserves** or strips.
- d. Whether an **access strip** may be required by **Council** where an **esplanade reserve** exists or is proposed that does not have public access.
- e. Whether, under section 230 of the [Resource Management Act](#), the **Council** might waive a requirement for an **esplanade reserve** or esplanade strip where there is:
  - i. adequate alternative public access; or
  - ii. adequate means of protecting water quality and conservation values; or
  - iii. adequate provision for public recreational use of the area of coast, river or lake in question; or
  - iv. where a **site** is being subdivided for the sole purpose of creating a **utility allotment**; or
  - v. provision of land for open space and recreation

### 8.8.6 Servicing

- a. Whether each **allotment** has appropriate servicing and connections to water supply, wastewater disposal, stormwater management systems and other services, whether it is necessary to provide or upgrade services or **utilities** to enable the **site** to be served, and whether the design, location, capacity, type and construction of services and infrastructure, including the suitability of the proposed water supply for fire-fighting purposes, and any required infrastructure upgrades, are acceptable to the **Council**.
- b. Whether appropriate provision is made for onsite stormwater treatment and disposal, or connection to a catchment based treatment network.

- c. Any impact of the provision or operation of service **utilities** or infrastructure on sites or areas of significance to tangata whenua or on waterways and the coastline.
- d. Any adverse effect on public health.
- e. Where a reticulated system is not immediately available but is likely to be in the near future, the appropriateness of temporary systems.
- f. Where infrastructure serving the land has been damaged by earthquakes; whether the infrastructure is performing, serviceable and functional.
- g. Whether there is the ability for **allotments** to appropriately connect to an electrical supply system and a **telecommunications** network.
- h. The suitability of the proposed water supply for fire-fighting purposes (the **Council** may obtain a report from the Chief Fire Officer), including the extent of compliance with **SNZ PAS:4509:2008** in respect of the health and safety of the community, including neighbouring properties.
- i. Whether the **subdivision** impacts on **strategic infrastructure**, including its ongoing operation, development and maintenance, and any potential for adverse effects on that infrastructure (including management of potential **reverse sensitivity** effects).
- j. In the **Central City**, the extent to which innovative solutions to reduce the extent of stormwater run-off are appropriate and the functionality of those solutions.

Advice note:

1. **National Grid transmission lines** and strategic **electricity distribution lines** are shown on planning maps.
2. The **Council** will consult the **network utility operator** or line owner where an application proposes to subdivide land within the transmission corridors.

### **8.8.7 Flood Management Area**

- a. Whether the **subdivision** includes measures that will reduce susceptibility to flooding.
- b. Whether the **subdivision** would have an impact on **adjoining** land in terms of flooding, and any measures to mitigate that impact.
- c. The extent to which flood hazard areas will impinge on the intended activities on any **allotment**.

### **8.8.8 Compliance with outline development plans and density**

- a. For **subdivision** in a residential zone, whether the **subdivision** precludes the required household density target to be met across residential development areas of the **outline development plan** area, including the housing typologies required to meet that target, and whether the typologies cater for all life stages, physical abilities, and opportunities for socio-economic diversity.
- b. Whether the **subdivision** precludes or discourages development in another part of the **outline development plan** area.

- c. Whether the **subdivision** integrates and connects appropriately to other parts of the **outline development plan** area, and the surrounding area, and any layering diagrams.
- d. Whether the proposed layout is practicable and provides for the existing or intended purpose or land use.
- e. Whether the potential effects of natural hazards will be appropriately avoided or mitigated.
- f. The extent to which the **subdivision** affects the ability of any future **subdivision** stages by other landowners in the **outline development plan** area to be in accordance with the **outline development plan**.
- g. The extent to which a development complies with any fixed or flexible elements of an **outline development plan**, or with the development requirements of an **outline development plan** in a **Residential New Neighbourhood Future Urban** Zone, including for phasing or location of infrastructure or other internal elements; and consideration of the effects of the movement of any elements on other landowners of land located within or adjacent to the **outline development plan** area, or on the safe, efficient or effective operation of infrastructure.

## 8.8.9 Additional matters — ~~Residential New Neighbourhood~~ **Future Urban** Zone

### 8.8.9.1 Integration, context and placemaking

- a. Whether the **subdivision** integrates with the existing context including retention of existing natural and built features, adjacent patterns of development and potential visual and physical connections.
- b. Whether the **subdivision** responds to and complements the design and layout of adjacent blocks, streets and open spaces.
- c. Whether the **subdivision** provides for **adjoining** land within the **outline development plan** to be developed in accordance with ~~Residential New Neighbourhood~~ **Future Urban Zone** standards and the **outline development plan**.
- d. Whether the **subdivision** contributes to the sense of place envisaged in the **outline development plan**, drawn from its context and delivered through the block, street and open space layout, to the configuration of **allotments** and elements of the open space.

### 8.8.9.2 Subdivision design (including provision for range of housing types)

- a. Whether the **subdivision** provides **allotments** that will enable diversity of housing types.
- b. Whether the **subdivision** provides **allotments** that are orientated to provide for solar gain.
- c. Whether the **subdivision** distributes **allotments** for higher density **building** typologies to support community and commercial facilities and public transport, and create a critical mass of activity and focus for development, and provide a logical and legible development form.
- d. Whether the **subdivision** locates larger **allotments** on **corner sites** to provide for larger scale **building** typologies to assist neighbourhood legibility.

- e. Whether the **subdivision** has dimensions and orientation which will provide for efficient **vehicle access** and parking that is safe for pedestrians and cyclists, and that does not compromise the quality of current or future public or private space.
- f. Whether the **subdivision** provides **allotments** that retain the central areas of blocks for open space or shared **vehicle accesses**.
- g. Whether the **subdivision** provides an **allotments** pattern that will promote complementary housing typologies to protect the privacy and outlook of adjacent **sites** and existing residential properties.
- h. Whether the **subdivision** provides an **allotments** pattern that will promote a consistent built interface with the street and minimises the use of rear **allotments**.

### 8.8.9.3 Movement networks

- a. Whether the **subdivision** provides for a comprehensive network of vehicle, cycle and pedestrian routes that provide, maintain or enhance safe and efficient physical and visual links within the neighbourhood and to surrounding neighbourhoods.
- b. Whether the **subdivision** includes **road** widths which are sufficient for the current and any identified future function of the **road**.
- c. Whether the **subdivision** includes **road** design which contributes toward a speed environment that is compatible with street function and adjacent land uses.
- d. Whether the **subdivision** minimises the use of **rights of way**.

### 8.8.9.4 Public spaces (including interaction between private and public spaces)

- a. Whether the **subdivision** provides **public open space** that can incorporate large scale tree planting, and low impact design features.
- b. Whether the **subdivision** provides **allotments** that enable a high level of visual interaction with the street and other **public open spaces**, without unnecessary visual barriers.
- c. Whether the **subdivision** promotes a cohesive street scene and neighbourhood.

### 8.8.10 Conversion of tenure, alteration of cross leases, company leases and unit titles

- a. Whether each title or leased area has ~~vehicle access~~ **legal and physical access for vehicles and/or pedestrians to formed road**, and whether there is any decrease in formed width, **parking areas**, or manoeuvring areas which materially compromises function or safety.
- b. Whether each title or leased area has access to services.
- c. Whether any **reduction in** title or leased area ~~would be reduced in area or dimension in a manner which might result in a more than minor reduction in~~ **materially compromises** functionality **or amenity** in relation to **outdoor living space**, **outdoor service space** or **outdoor storage area**.
- d. Whether fire safety requirements can be met.

- e. Effects of works associated with the **subdivision** on:
  - i. surface and subsurface drainage patterns and stormwater management.
  - ii. hydrological and geological features, both underlying and surface and on **site** and on **adjoining sites**.

### 8.8.11 Allotment net site area and dimensions

- a. Whether the **allotments** (including any balance **allotment**) are of sufficient size and dimension to provide for any existing land use or a permitted land use such as might reasonably be expected to establish on a **site**, and provision of **access**, storage space and service connections.
- b. Whether the dimensions and orientation of the **allotments** will ensure the capture of solar gain appropriate to the subsequent land uses.
- c. Whether any corner **allotments** have an appropriate corner rounding.
- d. The relationship of the proposed **allotments** within the **site** and their compatibility with the pattern of the **adjoining subdivision** and land use activities.
- e. The degree to which natural topography, drainage and other features of the natural environment, **sites of Ngāi Tahu cultural significance** identified in **Appendix 9.5.6**, or existing built features of significance, determine **site boundaries** where that is practicable.
- f. Whether fire safety requirements are met in relation to the conversion of existing **residential units** into multiple **residential units**.
- g. Where the subdivision is located in the **High Density Residential Zone** ~~Residential Central City Zone~~, and does not meet the minimum site density requirement in **Rule 14.6.2.11**, whether it is demonstrated that a net **density yield** of 50 households per hectare can be achieved through other mechanisms, or the site has qualities that mean the density requirements cannot be met.

### 8.8.12 Natural and cultural heritage

- a. Where the **subdivision** is of land which includes a significant tree listed in **Appendix 9.4.7.1**:
  - i. The extent to which the **subdivision** pattern has regard to the location of the significant tree, its health and structural integrity, and its contribution to community amenity;
  - ii. The extent to which the **allotment boundaries** avoid the **dripline-tree protection zone radius** of the significant tree; and
  - iii. The effects of any proposed **impervious surfaces** on the health and viability of the significant tree, including soil aeration and hydrological balance.
- b. Where the **subdivision** is of land which includes a **heritage item**, ~~or heritage setting~~ **or heritage area** listed in **Appendix 9.3.7.2** or Appendix 9.3.7.3:
  - i. The extent to which the **subdivision** has regard to, or is likely to detract from, the **heritage values** of the **heritage item**, ~~or heritage setting~~, **or heritage area**, or adversely affect the likely retention **and use or adaptive reuse** of the **heritage item**;

- ii. The extent to which **heritage item, ~~or~~ heritage setting, or heritage area** are to be integrated into the future development of the land being subdivided;
  - iii. **Any measures relevant to the subdivision included in a conservation plan: and Whether the proposal is supported by an expert heritage report(s) which provides for the ongoing retention, use or adaptive reuse, conservation and maintenance of the heritage item, ~~or~~ heritage setting, or heritage area.**
  - iv. Any relevant matters of discretion set out in [Rule 9.3.6.1](#).
- c. Where the **subdivision** is of land which includes a Site of Ecological Significance listed in Schedule A of [Appendix 9.1.6.1](#):
- i. The extent to which the **subdivision** has regard to, or is likely to detract from, the significance of the site (with respect to ecosystems and **indigenous biodiversity**), or adversely affect the protection of its **indigenous biodiversity**;
  - ii. The effects of any proposed **impervious surfaces** on the health and viability of **indigenous vegetation** and the supporting ecosystem, including soil aeration and hydrological balance; and
  - iii. Any relevant matters of discretion set out in [Rule 9.1.5.2](#).
- d. Where the **subdivision** is of land which includes:
- i. an Outstanding Natural Feature or Outstanding Natural Landscape identified in [Appendices 9.2.9.2.1](#) and [9.2.9.2.2](#);
  - ii. a Significant Feature (within the **Central City**) identified in [Appendix 9.2.9.2.3](#);
  - iii. a Rural Amenity Landscape (other than in **Banks Peninsula**) identified in [Appendix 9.2.9.2.4](#);
  - iv. an Area of Outstanding, or High and Very High, Natural Character in the Coastal Environment identified in [Appendices 9.2.9.2.7](#) and [9.2.9.2.8](#); or
  - v. an Important Ridgeline identified on the planning maps:
    - A. The extent to which the **subdivision** has regard to, or is likely to adversely affect, the qualities of the above areas, as specified in [Appendix 9.2.9](#);
    - B. The impacts of any likely future development, as a result of the **subdivision**, on the qualities of the above areas, as specified in [Appendix 9.2.9](#);
    - C. If any developable **allotment** is created within an Outstanding Natural Feature or Outstanding Natural Landscape, the effectiveness of any proposed mitigation or design elements with reference to the existing character of the locality and **amenity values**;
    - D. The practicality and effectiveness of screening any development or associated **road** or **access** (outside the **Central City**);
    - E. Whether the natural character of the coastal environment and **historic heritage** within the coastal environment is preserved and enhanced;
    - F. Within the coastal environment, whether public access to and along the landward boundary of the coastal marine area is maintained and enhanced; and
    - G. Any relevant matters of discretion set out in [Rule 9.2.8.1](#), [9.2.8.2](#) and [9.2.8.3](#).

- e. The Summit Road (Canterbury) Protection Act 2002, in respect of any **landscaping** or screening in the area that this Act applies to.
- f. Where the **subdivision** is of land which includes a **Site of Ngāi Tahu Cultural Significance** identified in **Appendix 9.5.6**, the matters set out in **Rule 9.5.5** as relevant to the site classification:
  - i. **Rule 9.5.5.1** - Wāhi Tapu / Wāhi Taonga, Mahaanui Iwi Management Plan Silent Files and Kaitōrete Spit;
  - ii. **Rule 9.5.5.2** - Ngā Tūranga Tūpuna; and
  - iii. **Rule 9.5.5.3** - Ngā Wai.
- g. Where the **subdivision** is of land within the Akaroa Heritage Area, the matters set out in **Rule 9.3.6.3**.
- h. Any requirement for a consent notice where a condition is to be complied with on a continuing basis.
- i. In relation to the removal of a consent notice created through **subdivision** to protect trees:
  - i. Whether the tree or group of trees is assessed as significant and/or exceptional in accordance with **Policy 9.4.2.2.1 a. - c.**;
  - ii. Whether the tree is structurally sound and healthy for its species;
  - iii. Whether the tree or group of trees meets any of the exceptions set out in **Policy 9.4.2.2.1 d.**, irrespective of whether or not the tree or group of trees has been assessed as significant and/or exceptional;
  - iv. Whether the removal of tree(s) will enable residential development in areas where intensification can occur;
  - v. Whether there are alternatives which would enable retention of any significant or exceptional tree; and
  - vi. Whether the tree or group of trees is adversely affecting a network **utility** or other **utility**.

### **8.8.13 All rural zones**

- a. In considering whether or not to grant **subdivision** consent, the **Council** shall have regard to the matters in **Rule 8.7.6** Additional matters - rural zones.

### **8.8.14 Natural and cultural heritage – Industrial General Zone (North Belfast)**

- a. The extent to which **sites of Ngāi Tahu cultural significance** identified in **Appendix 9.5.6**, wāhi tapu and wāhi taonga including waipuna, are protected, and the effects of **subdivision** on Ngāi Tahu, ecological and **amenity values** are avoided, remedied or mitigated. This may be through the design and layout proposed for **subdivision** and/or **earthworks**.
- b. The extent to which the **subdivision** and/or **earthworks** provides for pathways for the water to flow from the **spring** head that have regard to any existing natural flow path.

- c. Whether a protocol has been agreed with Te Ngāi Tūāhuriri Rūnanga for managing any accidental discovery. This may include a cultural monitor who shall be a representative approved by Te Ngāi Tūāhuriri Rūnanga and contracted by the applicant to be on-site if deemed necessary by the Rūnanga.

## **8.8.15 Residential New Neighbourhood Future Urban Zone Outline Development Plans - (North Halswell) - (Meadowlands Exemplar Overlay) - East Papanui**

### **8.8.15.1 Place making, context, and heritage**

- a. Whether the **subdivision**, **site** and **building** design and **allotment** layout:
- i. addresses the existing context, including retention of natural and built features, adjacent patterns of development and potential visual and physical connections;
  - ii. creates a distinctive identity;
  - iii. distributes **allotments** for higher density **building** typologies to support community and retail facilities and public transport, and create a critical mass of activity and focus;
  - iv. locates larger **allotments** on **corner sites** to provide for larger scale multi **residential unit building** typologies that address adjacent streets and open spaces and assist neighbourhood legibility;
  - v. provides public and private space, including communal space that is usable and **accessible**, incorporates large scale tree planting, and low impact design features;
  - vi. responds to, and complements the design and layout of adjacent blocks, streets and open spaces;
  - vii. has dimensions and an orientation which provide for efficient **vehicle access** and parking, including **garage** spaces, that is safe for pedestrians and cyclists, and does not compromise the quality of current or future public or private space;
  - viii. promotes **building** typologies that protect the privacy and outlook of adjacent **sites**;
  - ix. promotes **building** typologies that retain the central area of the block for open space or shared **vehicle access**; and
  - x. minimises the use of rear **allotments** and long cul-de-sacs.

~~b. Whether in relation to Spreydon Lodge the:~~

- ~~i. use of the lodge and its curtilage is compatible with its heritage values, including historic heritage trees, whilst enabling its viable economic use, as informed by advice from:~~

~~A. a historian or architectural historian as part of the comprehensive subdivision and land use consent application;~~

~~B. a qualified arborist to determine the age, health, species, historical and scientific significance of the trees.~~

### **8.8.15.2 Building typology, mix, and location**

- a. Whether there is a sufficient mix of the following **residential unit** types:



- i. **standalone house**; and
  - ii. **duplex**; and
  - iii. **terrace**; and
  - iv. **apartment**;
- b. Whether **residential unit** typologies are integrated with other typologies across the block to provide a cohesive street scene and neighbourhood, and good levels of privacy and daylight.
- c. Whether the distribution of **residential unit** typologies across the development complements and supports the location of **community facilities** provided as part of the comprehensive **subdivision** and land use consent application.
- d. Whether the location of **residential units** (including location of **residential units**) to the edge of the block, and/or the location of **terrace** dwellings parallel to the street:
- i. address and provide surveillance to the street;
  - ii. protect privacy of adjacent neighbours;
  - iii. protect and enhance private back yards and planting opportunities at scale; and
  - iv. allow for the comprehensive management of **vehicle access** and car parking.
- e. Whether multiunit, multi-storey **building** typologies are located at **corner sites** in order to:
- i. improve way finding and distinction of streets;
  - ii. enable orientation of the **building** toward both adjacent streets in a manner which emphasises these corners;
  - iii. utilise the increased access to light and outlook provided by the street edges; and
  - iv. provide efficient **site access** for vehicles and pedestrians.
- f. Whether an appropriate **building** typology is located on an appropriate **site** to achieve a balance of open space to **buildings** across the block and on the **site** and which provides for:
- i. tree and garden planting;
  - ii. pedestrian and **vehicle access**;
  - iii. a high level of visual interaction between the **building** and street or other public space;
  - iv. single level typologies on larger **sites** and smaller houses on smaller **sites**; and
  - v. minimisation of **building** footprint and hard surfaces.
- g. Whether **garages** and parking are secondary to **habitable spaces**, both with respect to size and expression of form, and are incorporated into the overall **site** and **building** design especially when accessed off streets.

### **8.8.15.3 Relationship to street and public open spaces**

- a. Whether the **subdivision** design:

- i. provides **allotments**, which enable the construction of **buildings**, that provide **habitable rooms** and front entrances which address the street, open space or **reserves** that are adjacent to or opposite the **allotment**;
- ii. minimises the visual dominance, of **access** on the streetscape or adjacent open space;
- iii. avoids **allotments** which necessitate the erection of bunds or large visually impermeable fencing adjacent to the street, lane or other publicly **accessible** open space to create privacy;
- iv. ensures there is sufficient tree and garden planting particularly in regard to **road frontage**, **building** entrances, **boundaries**, **accesses** car parking and stormwater management areas to visually soften the built form and associated areas of paving ; and
- v. ensures that **building setbacks** provide for variety and amenity in the streetscape, recognising the orientation of the street, while reducing **building** dominance.

#### **8.8.15.4 Fences between residential units and the road boundary**

- a. Whether any fences constructed in the space between the **road boundary** and the **residential unit** will adversely affect surveillance of the street from the ground floor glazing in the **residential unit**.

#### **8.8.15.5 Road network access and parking**

- a. Whether:
  - ~~i. direct access on to State Highways, other than access in accordance with the Outline Development Plan in Appendix 8.10.4, would result in adverse effects on the safety or efficiency of the State Highway;~~
  - i. the **road**, cycle and pedestrian features integrate in a practical and functional manner with the **adjoining** existing **road** network, cycle, and pedestrian routes and allows for future connections to the wider neighbourhood;
  - ii. the **road** layout and width within the comprehensive development area achieves a safe, well connected, multi modal, and highly permeable movement network and supports a functional hierarchy of streets with appropriate **public transport facilities**;
  - iii. any reduction in legal **road** width or **road reserve** is balanced with private and/or public space amenity, including large scale tree planting;
  - iv. the design defines the identity, entry point, and function of lanes through:
    - A. shared vehicle and pedestrian **access** with no defined footpath;
    - B. variation in lane clearway through design by tightening, extending and terminating views within a lane;
    - C. a consistent character; and
    - D. the use of landscape treatment including changes in paving material and tree and garden planting; and
  - v. on-site parking, **access** and driveways are safe and efficient for residents and visitors.

### 8.8.15.6 Infrastructure

- a. Whether appropriate provision is made for the ongoing maintenance of any open space areas not vested in the Council and the appropriateness of any mechanism proposed to ensure that open space areas not vested in the Council are available for public access.
- b. Whether the requirements set out by network utility operators in relevant guidelines are met so as to ensure:
  - i. network infrastructure can be operated safely and efficiently;
  - ii. access is available for maintenance;
  - iii. buildings are not erected within the minimum safe distances specified in Table 3 of New Zealand Electrical Code of Practice 34:2001; and
  - iv. the planting of trees is not inconsistent with the Electricity (Hazards from Trees) Regulations 2003.
- c. Whether the proposed subdivision provides a quality and appropriate interface with existing or proposed non-road infrastructure, including network infrastructure, and avoids reverse sensitivity in relation to that infrastructure.
- d. Whether a reticulated sewer can be installed to the development allotments without the need for more than one waste water pumping station within the development area.
- e. Whether the provisions of the Council's Infrastructure Design Standard and / or Construction Specification Standard are met.
- f. Whether stormwater management features such as soil absorption, sedimentation and detention basins, rain gardens, swales, trapped sumps, first flush basins, wetlands or wet ponds contribute to an integrated naturalised surface water network, including the road stormwater treatment design.
- g. Whether the proposed surface water management systems are consistent with or otherwise achieve the outcomes anticipated by the relevant Council Stormwater Management Plans and / or Integrated Catchment Management Plans and / or any planned surface water works for the North South West of Christchurch .
- h. Whether the proposals for the enhancement of aesthetic and environmental values of artificial drains adequately provides for the establishment of a more natural channel form, and indigenous re-vegetation.
- i. Whether there is sufficient capacity available in the Council's surface water network to cater for discharges from the development.
- j. Whether adverse effects of the proposal on groundwater, surface water, mahinga kai, or drainage to, or from, adjoining land can be avoided or mitigated.
- k. Whether adverse effects on the functioning or values of the existing network of drains, springs, waterways and ponding areas can be avoided or mitigated.
- l. Whether the provision for, and protection of, the flood storage and conveyance capacity of waterways is adequate.
- m. Whether the proposal appropriately utilises the existing or proposed topography, including open waterway systems, and proposed networks to convey surface water by way of gravity systems.

- n. Whether appropriate and safe access for maintenance of surface water infrastructure is provided.
- o. Whether the proposals to control erosion and sediment during the construction phase of works is adequate, and the extent to which these proposals comply with local and regional guidelines.
- p. Whether it is necessary or appropriate to require any easements, consent notices, or local purpose reserves.
- q. Whether there are adverse effects on public health and how these can be avoided and mitigated.
- r. Whether the works appropriately incorporate indigenous vegetation which reflects Ngai Tahu's history and identity associated with the land, taking into account the ability of particular species to manage stormwater.
- s. Whether a management plan has been developed that demonstrates there will be ongoing operation and maintenance of the stormwater.
- t. Whether all allotments have an approved connection to reticulated sewer, stormwater, and water networks and the capacity to connect to electrical and telecommunication networks.

#### **~~8.8.15.7 Compliance with the Outline Development Plan~~**

- ~~a. Whether the departure from the layout in the outline development plan is appropriate taking into account:
 
  - ~~i. the overall vision and intent as expressed in the Neighbourhood Plan; and~~
  - ~~ii. any actual or potential impact on the delivery of integrated infrastructure including road, water, wastewater, stormwater and open space across the whole outline development plan area.~~~~

#### **8.8.15.87 Water supply for fire-fighting**

- a. Whether sufficient fire fighting water supply is provided so as to ensure the health and safety of the community, including neighbouring properties, is provided.

#### **8.8.15.98 Outdoor Living space**

- a. Whether the level, location or configuration of outdoor living space will provide for the needs of occupants, taking into account:
- b. In relation to the amount of outdoor living space:
  - i. provision of publicly available space on, or in close proximity to, the site to meet the needs of occupants now and in the future;
  - ii. the size of the residential unit serviced by the space and the demands of the likely number of occupants now and in the future; and
  - iii. compensation by alternative space within buildings with access to ample sunlight and fresh air.
- c. In relation to the location and configuration of outdoor living space:

- i. allocation between private and communal **outdoor living spaces** within the **site** to meet the current and future needs of occupants of the **site**;
- ii. easy **accessibility** of **outdoor living space** to all occupants of the **site**;
- iii. design of communal space to clearly signal that it is for communal use and meets the needs of occupants and provides a high level of residential amenity;
- iv. the adverse effects of any additional loss of mature on-site vegetation and/or spaciousness of the area.

#### **8.8.15.109 Service, storage, and waste management spaces**

- a. Whether, there is sufficient useful and functional service, waste management, and storage space, taking into account:
  - i. the adequacy of the amount of space to store rubbish and recycling, whether communal, outdoor or indoor;
  - ii. the adequacy of the volume of space provided for personal storage;
  - iii. the convenience of the location of rubbish and recycling space for residents;
  - iv. how the lack of screening of any **outdoor service space** will adversely affect the visual amenity within the **site** and of any **adjoining site**, activity, or the street scene;
  - v. the size and flexibility of the **residential unit** layout to provide other indoor storage options where an indoor storage space is not provided for each unit; and
  - vi. the adequacy, **accessibility** and convenience of alternative storage areas provided on the **site** where indoor storage space is not provided for each **residential unit** .

#### **8.8.15.110 Minimum unit size**

- a. Whether the unit size is appropriate taking into account:
  - i. the floorspace available and the internal layout and their ability to support the amenity of current and future occupants;
  - ii. other on-site factors that would compensate for a reduction in unit sizes e.g. communal facilities;
  - iii. scale of adverse effects associated with a minor reduction in size in the context of the overall residential complex on the **site**; and
  - iv. any social housing requirements.

#### ~~**8.8.15.12 Consistency with the statement of commitment to exemplar housing**~~

- a. ~~Whether the comprehensive **subdivision** and land use consent is consistent with the "Meadowlands An Exemplar Housing Development Statement of Commitment" as approved by the **Council** on 24 April 2014.~~

### **8.8.15.131 Height, minimum and maximum storeys**

- a. Whether the increased height intrusion would result in buildings that:
  - i. remain compatible with the scale of other buildings anticipated in the area; or
  - ii. do not compromise the amenity of adjacent properties;  
taking into account:
    - A. The visual dominance of proposed buildings on the outlook from adjacent sites, roads and public open space in the surrounding area, which is out of character with the local environment;
    - B. Overshadowing of adjoining sites internal and external living spaces;
    - C. Any potential loss of sunlight admission to internal living spaces in winter with regard to energy utilisation;
    - D. Any loss of privacy through being over-looked from neighbouring buildings;
    - E. Whether development on the adjoining site, such as large building setbacks, location of outdoor living spaces, or separation by land used for vehicle access, reduces the need for protection of adjoining site from overshadowing;
    - F. The ability to mitigate any adverse effects of height breaches through increased separation distances between the building and adjoining site, the provision of screening or any other methods; and
- b. Whether any additional stories within the 11m height limit would create unduly confined spaces with limited usability.
- c. ~~Whether there is an inappropriate step change in heights between the Key Activity Centre and the exemplar area.~~

### **8.8.1216 Additional matters – Subdivision around residential units within the Medium and High Density Residential Zones**

- a. The effects of non-compliance with the permitted density standard(s) not being met.

### **8.8.1217 Additional matters – Subdivision in the Medium and High Density Residential Zones at North Halswell south of Halswell and Hendersons and north of Milns and Sparks Road**

- a. The matters of control in 8.7.13, and
- b. ~~The extent to which Whether~~ the subdivision design integrates with the requirements of the adjacent North Halswell ODP in Appendix 8.10.4 and provides for good connectivity between different land ownership areas through road, open space and pedestrian and cycle way linkages.

## 8.9 Rules — Earthworks

### 8.9.1 Notification

- a. Any application arising from non-compliance with standards in [Rule 8.9.2](#) may be limited notified, but shall not be publicly notified. Applications arising from [Rule 8.9.2.5 NC1](#) will be notified to Transpower New Zealand Limited or Orion New Zealand Limited (where relevant) (absent written approval).

Advice note:

1. The consent of the Regional Council may be required for [earthworks](#) activities, including those in, on, under or over the bed of a river, as well as vegetation clearance, deposition over an aquifer and [earthworks](#) in erosion prone areas.
2. The Council's [Cleanfill Licensing Bylaw 2008](#) includes requirements for the disposal of soils.
3. The Council's [Water, Wastewater and Stormwater Bylaw 2014](#) includes requirements for the protection of waterways.
4. Part I of the [Heritage New Zealand Pouhere Taonga Act 2014](#) states that no work may be undertaken on an [archaeological site](#) (whether recorded or unrecorded) until an archaeological authority to destroy, damage or modify a site has been granted by the Heritage New Zealand Pouhere Taonga in accordance with that Act.
5. Attention is drawn to the [Mahaanui Iwi Management Plan 2013](#) (including the Accidental Discovery Protocol), [Te Whakatau Kaupapa](#), and the [Ngai Tahu Freshwater Policy](#).
6. Resource consent may be required for [earthworks](#) under the [Resource Management \(National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health\) Regulations 2011](#). In particular the NES applies to [earthworks](#) associated with the removal or replacement of fuel storage tanks, [earthworks](#) associated with sampling or disturbance of land identified in the Listed Land Use Register held by Canterbury Regional Council. In these instances, the NES applies instead of the [District Plan](#) provisions.

### 8.9.2 Activity status tables

#### 8.9.2.1 Permitted activities - earthworks

- a. The activities listed below are permitted activities if they meet the activity standards set out in the following table.
- b. Activities may also be controlled, restricted discretionary, discretionary, non-complying or prohibited as specified in Rules [8.9.2.2](#), [8.9.2.3](#), [8.9.2.4](#), [8.9.2.5](#) and [8.9.2.6](#).

Activity		Activity Standard
P1	<a href="#">Earthworks</a> :	a. <a href="#">Earthworks</a> shall not exceed the volumes in Table 9

Activity	Activity Standard
<p>a. not for the purpose of the repair of land used for residential purposes and damaged by earthquakes; and</p> <p>b. if in the Industrial General Zone (North Belfast), greater than 20 metres from:</p> <p>i. the surveyed point of the <b>spring</b> identified on the Outline Development Plan in <a href="#">Appendix 16.8.5</a>; or</p> <p>ii. any <b>spring</b> not identified on the Outline Development Plan in <a href="#">Appendix 16.8.5</a>, and which is within the area identified as Stormwater Management Area 1 on the <b>outline development plan</b> but not within Lots 5, 6 and 7 DP 71209, in which case the setback shall be measured from the head or heads of the <b>spring</b> where visible.</p> <p>Advice note:</p> <p>1. Chapter 5 contains additional requirements for <b>earthworks</b> within <b>Flood Management Areas</b> and Flood Ponding Management Areas.</p> <p>2. Refer to P2 for <b>earthworks</b> for the purpose of the repair of land used for residential purposes and damaged by earthquakes</p>	<p>over any 12 month time period.</p> <p>b. <b>Earthworks</b> in zones listed in Table 9 shall not exceed a maximum depth of 0.6m, other than in relation to <b>farming, quarrying activities</b> or permitted <b>education activities</b>.</p> <p>c. <b>Earthworks</b> shall not occur on land which has a gradient that is steeper than 1 in 6.</p> <p>d. <b>Earthworks</b> involving soil compaction methods which create vibration shall comply with DIN 4150 1999-02 and compliance shall be certified through a statement of professional opinion provided to the <b>Council</b> from a suitably qualified and experienced chartered or registered engineer.</p> <p>e. <b>Earthworks</b> involving mechanical or illuminating equipment shall not be undertaken outside the hours of 07:00 – 19:00 in a Residential Zone.</p> <p>Advice note:</p> <p>1. Between the hours 07:00 and 19:00, the noise standards in Chapter 6 <a href="#">Rule 6.1.5.2</a> and the light spill standards at Chapter 6 <a href="#">Rule 6.3.6</a> both apply.</p> <p>f. <b>Earthworks</b> involving mechanical equipment, other than in residential zones, shall not occur outside the hours of 07:00 and 22:00 except where compliant with <a href="#">NZS6803:1999</a>.</p> <p>Advice note:</p> <p>1. Between the hours of 07:00 and 22:00, the noise standards in Chapter 6 <a href="#">Rule 6.1.5.2</a> apply except where <a href="#">NZS6803.1999</a> is complied with, and the light spill standards in Chapter 6 <a href="#">Rule 6.3.6</a> apply.</p> <p>g. <b>Filling</b> shall consist of <b>clean fill</b>.</p> <p>h. The activity standards listed in <a href="#">Rule 8.9.2.1</a> P3, P4 and P5.</p> <p>i. <b><u>Where <del>E</del>earthworks shall not occur within 5 metres of a <b>heritage item</b>, or within the footprint of a <b>heritage item</b> which is otherwise subject to exemption 8.9.3 a. iv., or above the volumes contained in Table 9 within a <b>heritage setting</b> listed in <a href="#">Appendix 9.3.7.2</a>, details of temporary protection measures to be put in place to mitigate potential physical effects on the <b>heritage item</b> must be provided to <b>Council’s</b> Heritage team for</u></b></p>



Activity		Activity Standard
		<p><b><u>comment at least 5 working days prior to the works commencing.</u></b></p> <p>j. In the Industrial General Zone (North Belfast): Activity Standards in <a href="#">Rule 8.6.14</a>.</p> <p><b>Advice notes:</b></p> <ol style="list-style-type: none"> <li><a href="#">The Erosion and Sediment Control Guidelines</a> (prepared by Environment Canterbury) may be of assistance in terms of the design and location of any filter.</li> <li><a href="#">The Natural Resources Regional Plan and Land and Water Regional Plan</a> include provisions for <b>earthworks</b> in riparian margins and the Port Hills respectively and provisions in relation to dust control.</li> <li>The <a href="#">Council's Water Supply, Wastewater and Stormwater Bylaw 2014</a> applies.</li> </ol>
<p><b>P2</b></p>	<p>a. <b>Earthworks</b> for the purpose of the repair of land used for residential purposes and damaged by earthquakes:</p> <ol style="list-style-type: none"> <li>outside a <b>Flood Management Area</b> (including outside the Te Waihora/Lake Ellesmere and Wairewa/Lake Forsyth <b>Flood Management Areas</b>); and</li> <li>outside of the Port Hills and <b>Banks Peninsula</b>; but</li> <li>including all other residential land whether or not an EQC payment has been made and residential land which was unimproved when damage occurred.</li> </ol> <p>Advice note:</p> <ol style="list-style-type: none"> <li><a href="#">Rule 5.4.4</a> in Chapter 5 applies to <b>earthworks</b> for the</li> </ol>	<p>a. The <b>earthworks</b> shall:</p> <ol style="list-style-type: none"> <li>only occur in a zone listed in Table 10 Earthworks for the purpose of land repair; and</li> <li>be commenced prior to the expiry of this rule on 31 December 2018.</li> </ol> <p>b. Where the land repair and <b>earthworks</b> are not designed, supervised or certified by a Chartered Professional Engineer with experience in geotechnical engineering or Professional Engineering Geologist (<b>IPENZ</b> Registered), any <b>filling, excavation or disturbance of soils</b> shall not exceed the requirements of Table 10.</p> <p>c. Where the land repair and <b>earthworks</b> are designed, supervised and certified by a Chartered Professional Engineer with experience in geotechnical engineering or Professional Engineering Geologist (<b>IPENZ</b> Registered), any <b>earthworks</b> shall meet the following requirements:</p> <ol style="list-style-type: none"> <li>The <b>site</b> or part of the <b>site</b> shall not be located within a <b>Site of Ngāi Tahu Cultural Significance</b> identified in <a href="#">Schedule 9.5.6.1</a>.</li> <li>Not more than 80m<sup>3</sup> of <b>grout</b> shall be used per <b>site</b>.</li> <li>Land repair works involving <b>soil mixing, aggregate piers, or grout</b> shall not occur within 1.0m of a</li> </ol>

Activity	Activity Standard
<p>repair of land used for residential purposes damaged by earthquakes within Flood Management Areas in rural and residential zones.</p>	<p>boundary.</p> <p>iv. At least 3 working days prior to commencing any work on the site (including stockpiling and preparatory works):</p> <ul style="list-style-type: none"> <li>A. written notice shall be provided to the Council informing of the location of the land repair and the name and contact details of the supervising engineer;</li> <li>B. written notice shall be provided to any occupier of a residential unit adjoining the land repair site to inform the occupier that the works will be taking place, the expected duration of the works and of the contact details of the site supervisor; and</li> <li>C. a sign shall be erected at the front of the property which includes the name and contact details of the site supervisor.</li> </ul> <p>v. A statement of professional opinion completed by a suitably qualified and experienced Chartered Professional Engineer with experience in geotechnical engineering or Professional Engineering Geologist (IPENZ Registered) shall be provided to the Council within 3 months of the land repair being completed to the effect that the works meet all applicable standards and requirements and are suitable for their intended purpose. The statement will include as-built plans of the works.</p> <p>vi. Depth of filling above ground level shall meet the requirements for the repair of land damaged by earthquakes within Flood Management Areas as specified in Chapter 5 (Natural Hazards).</p> <p>d. General standards:</p> <ul style="list-style-type: none"> <li>i. There shall be no earthworks within 5m of any network waterway.</li> </ul> <p><b>Advice note:</b></p> <p>1. Consent may be required from Canterbury Regional Council for earthworks within 10m of other rivers and lakes and 20m of the coast. Refer to the Land and Water Regional Plan, Rules 8.5.2, 9.5.6 and 11.5.1.</p> <ul style="list-style-type: none"> <li>ii. Earthworks shall not occur:</li> </ul>

Activity	Activity Standard
	<ul style="list-style-type: none"> <li>A. within the <del>dripline</del>-tree protection zone radius of a significant tree listed in <a href="#">Appendix 9.4.7.1</a>;</li> <li>B. within a Site of Ecological Significance listed in Schedule A of <a href="#">Appendix 9.1.6.1</a>; or</li> <li>C. at or within 5 metres of a heritage item listed in <a href="#">Appendix 9.3.7.2</a>.</li> </ul> <p>e. All filling greater than 0.3m in depth shall be in accordance with New Zealand Standard NZS 4431:1989 Code of Practice for Earth Fill for Residential Development. Certification is not required except as specified in (c)(v) above.</p> <p>f. All land repair works are to be managed in accordance with <a href="#">New Zealand Standard NZS 6803:1999 Acoustics - Construction Noise</a> and DIN 4150 1999-02 Structural Vibration.</p> <p>g. Land repair works involving mixing or insertion of grout:</p> <ul style="list-style-type: none"> <li>i. shall not involve: <ul style="list-style-type: none"> <li>A. mixtures with a flow time that is greater than 30 seconds when tested in accordance with the grout flow test at <a href="#">NZS 3112: Part 1: 1986 (Test 3)</a> or a flowable concrete/grout including cement and inert additives which exceed a diameter of 300mm when tested in accordance with inverted cone test in <a href="#">NZS 3112: Part 1: 1986 (Test 11)</a> except for in situ mixing; or</li> <li>B. injection of grout into the ground at a pressure of more than 40 bar when measured at the pump.</li> </ul> </li> <li>ii. Where grout is deposited into land using in situ mixing the grout shall be mixed evenly through the augured soil column and the percentage of grout within the augured soil column shall not exceed 20%; or</li> <li>iii. Where grout is deposited into land using methods other than in situ mixing, the percentage of cement in the dry grout mixture shall not exceed 30%.</li> </ul> <p>h. Land repair materials:</p>

Activity	Activity Standard
	<ul style="list-style-type: none"> <li>i. shall consist only of: <ul style="list-style-type: none"> <li>A. soil, gravel, rocks, concrete, sand, silt (such as exists on <b>site</b> already), or clean, inert material;</li> <li>B. cement and/or bentonite <b>grout</b> including inert additives; or</li> <li>C. timber foundation piles; and</li> </ul> </li> <li>ii. shall not: <ul style="list-style-type: none"> <li>A. include or disturb putrescible, pollutant, inflammable or hazardous components; and/or</li> <li>B. include <b>filling</b> which comprises more than 5% vegetation of any load by volume.</li> </ul> </li> <li>i. Land repair works, other than dust and sediment control measures, shall not be undertaken outside of the hours of 07.30am to 18.00 Monday to Friday and 08:00 to 17:00 on Saturday. No works shall occur on public holidays.</li> <li>j. The activity standards listed in <a href="#">Rule 8.9.2.1</a> P3, P4 and P5. <p><b>Advice note:</b></p> <ul style="list-style-type: none"> <li>1. The <a href="#">Erosion and Sediment Control Guidelines</a> (prepared by Environment Canterbury) may be of assistance in terms of the design and location of any filter.</li> <li>2. The <a href="#">Natural Resources Regional Plan</a> and <a href="#">Land and Water Regional Plan</a> include provisions for <b>earthworks</b> in riparian margins and the Port Hills respectively and also provisions in relation to dust control.</li> <li>3. The <a href="#">Council's Water Supply, Wastewater and Stormwater Bylaw 2014</a> is applicable.</li> </ul> </li> <li>k. In addition to the exemptions in <a href="#">Rule 8.9.3</a>, the following <b>earthworks</b> are exempt from compliance with the Standards for P2: <ul style="list-style-type: none"> <li>i. Works involving the establishment, repair or replacement of any permitted <b>utilities</b> or the maintenance of existing drains or ponds by a <b>utility</b> operator.</li> <li>ii. Works permitted by or exempted from a building consent (including works forming part of</li> </ul> </li> </ul>

Activity	Activity Standard
	<p>foundations for a <b>building</b>) where:</p> <ul style="list-style-type: none"> <li>A. they meet the standards in Table 10 and (c)(vi) controlling depth of <b>filling</b> above <b>ground level</b> in <b>Flood Management Areas</b> (<b>Chapter 5</b> Natural Hazards); and</li> <li>B. they are designed, supervised and certified by a suitably qualified and experienced chartered geotechnical engineer, and</li> <li>C. they meet General standards (f)(i) and (f)(ii).</li> </ul> <p>iii. Testing or investigation preceding land repairs or remediation as a result of land damaged by earthquakes provided it meets activity standard P2 (a):</p> <ul style="list-style-type: none"> <li>A. <b>Filling</b> or <b>excavation</b> associated with the maintenance of flood protection works.</li> <li>B. In the <b>Central City</b>, <b>filling</b> or <b>excavation</b> associated with the repair, maintenance, upgrade or construction of flood protection works undertaken or authorised by the <b>Council</b> or the Crown.</li> </ul> <p>i. For the avoidance of doubt, where the <b>earthworks</b> are associated with the repair of land used for residential purposes and damaged by earthquakes. <b>Rule 8.9.2.1</b> P2 applies alone and instead of other <b>earthworks</b> rules in <b>Rules 8.9.2.1 – 8.9.2.3</b> (other than RD2 if the activity standards for P2 are not complied with).</p> <p>m. Measurement of volume shall include only areas which have been disturbed, including by <b>filling</b>, <b>excavation</b>, <b>soil mixing</b> or injection of materials. Soil above or between these areas which remains undisturbed does not form part of the allowable volume, including where those undisturbed soils are compacted or are otherwise altered by the works.</p> <p>n. For the purposes of this rule, the <b>building</b> consent platform extends to a maximum of 2.5m from the exterior wall of enclosed structures or from <b>support structures</b> of open structures.</p> <p>o. For the purposes of this rule, when land repairs are being undertaken over a number of properties at the same time and by the same contractor, the <b>site boundary</b> for the purpose of the setback is the outer perimeter of the properties that are the subject of the land repair works.</p>

Activity	Activity Standard
	<p>Advice note:</p> <ol style="list-style-type: none"> <li>1. People intending to do land repair <b>earthworks</b> are responsible for complying with the <a href="#">Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011</a>. People should contact the <a href="#">Council</a> or Canterbury Regional Council to find out whether their land has been used for hazardous activities which might trigger the need for compliance with the NES.</li> <li>2. Any vegetation removed during land repairs should not be replaced with pest species which are listed in Appendix 1 to the Christchurch City Council <a href="#">Infrastructure Design Standard</a> (Part 10).</li> </ol>
<p><b>P3</b></p> <p>a. <b>Earthworks</b> in the vicinity of the <b>National Grid</b>, except as otherwise specified in:</p> <ol style="list-style-type: none"> <li>i. <a href="#">Rule 8.9.2.2 C1</a>; and</li> <li>ii. <a href="#">Rule 8.9.2.3 RD1, RD3, RD4 and RD5</a>.</li> </ol>	<p>a. <b>Earthworks</b> within 12 metres of the centre line of a 110kV or a 220kV <b>National Grid transmission line</b> or within 10 metres of the centre line of a 66kV <b>National Grid transmission line</b> shall:</p> <ol style="list-style-type: none"> <li>i. be no deeper than 300mm within 6m of a foundation of a <b>National grid transmission line support structure</b>; and</li> <li>ii. be no deeper than 3m: <ol style="list-style-type: none"> <li>A. between 6 and 12 metres from the foundation of a 110kV or a 220kV <b>National Grid transmission line support structure</b>; or</li> <li>B. between 6 and 10 metres from the foundation of a 66kV <b>National Grid transmission line support structure</b>; and</li> </ol> </li> <li>iii. not destabilise a <b>National Grid transmission line support structure</b>; and</li> <li>iv. not result in a reduction in the ground to conductor clearing distances below what is required by Table 4 in <a href="#">New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001)</a>, unless the requirements of Clause 2.2.3 of NZECP34:2001 are met.</li> </ol> <p>b. Activity standard a.i (above) shall not apply to:</p> <ol style="list-style-type: none"> <li>i. <b>earthworks</b> for a network <b>utility</b> as part of an <b>electricity transmission</b> activity;</li> <li>ii. <b>earthworks</b> undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing</li> </ol>

Activity		Activity Standard
		of a road, footpath, driveway or farm track.
P4	<p>a. Earthworks in the vicinity of a 66kV electricity distribution line, except as otherwise specified in:</p> <ul style="list-style-type: none"> <li>i. Rule 8.9.2.2 C1; and</li> <li>ii. Rule 8.9.2.3 RD1, RD3, RD4 and RD5.</li> </ul>	<p>a. Earthworks within 10 metres of the centre line of a 66kV electricity distribution line shall:</p> <ul style="list-style-type: none"> <li>i. meet the requirements of Clause 2.2.1 and/or 2.2.3 (as applicable) of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34: 2001); or</li> <li>ii. meet the following requirements: <ul style="list-style-type: none"> <li>A. be no deeper than 300mm within 6 metres of a foundation of a 66kV electricity distribution line support structure; and</li> <li>B. be no deeper than 3m between 6 and 10 metres from the foundation of a 66kV electricity distribution line support structure; and</li> <li>C. not destabilise an electricity distribution line support structure; and</li> <li>D. not result in a reduction in the ground to conductor clearing distances below what is required by Table 4 in the NZECP 34:2001.</li> </ul> </li> </ul> <p>b. Activity standard a.ii.A (above) shall not apply to:</p> <ul style="list-style-type: none"> <li>i. Earthworks for a network utility, as part of an electricity distribution activity;</li> <li>ii. Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, drive or farm track.</li> </ul>
P5	<p>Earthworks in the vicinity of a 33kV electricity distribution line or the 11kV (Heathcote to Lyttelton) electricity distribution line, except as otherwise specified in Rule 8.9.2.3 RD1, RD4 and RD5.</p>	<p>a. Earthworks within 5 metres of the centre line of a 33kV electricity distribution line or the 11kV (Heathcote to Lyttelton) electricity distribution line shall:</p> <ul style="list-style-type: none"> <li>i. meet the requirements of Clause 2.2.1 of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34: 2001); or</li> <li>ii. meet the following requirements: <ul style="list-style-type: none"> <li>A. be no deeper than 300mm within 2.2 metres of a foundation of a 33kV and 11kV Heathcote to Lyttelton support structure; and</li> <li>B. be no deeper than 0.75m between 2.2 and</li> </ul> </li> </ul>

Activity	Activity Standard
	<p>5 metres from the foundation of a 33kV and 11kV Heathcote to Lyttelton <b>electricity distribution line support structure</b>; and</p> <p>C. not destabilise an <b>electricity distribution line support structure</b>; and</p> <p>D. not result in a reduction in the ground to conductor clearing distances below what is required by Table 4 in the <b>NZCEP 34:2001</b>.</p> <p>b. Activity standard a.ii.A (above) shall not apply to:</p> <ul style="list-style-type: none"> <li>i. <b>Earthworks</b> for a network <b>utility</b>, as part of an <b>electricity distribution</b> activity;</li> <li>ii. <b>Earthworks</b> undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a <b>road</b>, footpath, drive or farm track.</li> </ul>

**Table 9: Maximum volumes – earthworks**

- a. The volume thresholds contained in Table 9 apply to both the amount of **filling** and the amount of **excavation**.
- b. Where a volume threshold in Table 9 is stated in m<sup>3</sup>/ha, this shall be applied as a ratio.
- c. Where zone and overlay thresholds differ, the lower volume threshold shall apply.

Zone / Overlay	Volume
d. Residential and Papakāinga/Kāinga Nohoanga	<ul style="list-style-type: none"> <li>i. All residential zones.</li> <li>ii. Māori land within the Papakāinga/Kāinga Nohoanga zone where sites have an area of 2000m<sup>2</sup> or less.</li> </ul>
e. Commercial / Industrial	i. <del>Commercial Local, Neighbourhood Centre</del> and Commercial Banks Peninsula Zones.
	ii. <del>Commercial Core, Local Centre, Town Centre, Commercial Office, Commercial Mixed use, Central City Mixed Use, Mixed Use (South Frame), Commercial Retail Park, Large Format Retail,</del> Industrial General, Industrial Heavy and Industrial Park Zones.



	iii. <del>Commercial Central City Business City Centre Zone</del>	200m <sup>3</sup> /ha
f. Rural and Papakāinga/Kāinga Nohoanga	i. All rural zones and non-Māori land within the Papakāinga/Kāinga Nohoanga zone (excluding excavation and filling associated with quarrying activities) ii. Māori land within the Papakāinga/Kāinga Nohoanga zone where sites have an area of more than 2000m <sup>2</sup> .	100m <sup>3</sup> /ha
g. Open Space	i. Open Space Metropolitan Facilities and Open Space McLeans Island Zones.	500m <sup>3</sup> /ha
	ii. Open Space Community Park Zones.	20m <sup>3</sup> /site
	iii. Open Space Natural and Open Space Water and Margins Zones (Refer to Rules 6.6.4 - 6.6.6 of Chapter 6 in relation to earthworks adjoining water bodies).	50m <sup>3</sup> /ha
	iv. Open Space Water and Margins Zone at Lake Ellesmere / Te Waihora and Lake Forsyth / Wairewa (Refer to Rules 6.6.4 - 6.6.6 of Chapter 6 in relation to earthworks adjoining water bodies).	10m <sup>3</sup> /ha
	v. Open Space Coastal Zone.	50m <sup>3</sup> /ha
	vi. Open Space Avon River Precinct (Te Papa Ōtākaro) Zone. Advice note: 1. This volume threshold applies outside the water body setback provided in Chapter 6.	50m <sup>3</sup> /ha
h. Specific Purpose	i. Specific Purpose (Hospital) Zone and Specific Purpose (Tertiary Education) Zone.	150m <sup>3</sup> /ha
	ii. Specific Purpose (Airport) Zone.	5000m <sup>3</sup> /ha
	iii. Specific Purpose (Cemetery) Zone.	20m <sup>3</sup> /site
	iv. Specific Purpose (Golf Resort) Zone.	20m <sup>3</sup> /site
	v. Specific Purpose (Flat Land Recovery) Zone.	50m <sup>3</sup> /ha
	vi. All other Specific Purpose Zones.	100m <sup>3</sup> /ha
i. Transport	i. Transport zone	No limit.
j. Overlays	i. Outstanding Natural Landscapes identified in Appendix 9.2.9.2.2	25m <sup>3</sup> /ha

	ii. Outstanding Natural Features identified in <a href="#">Appendix 9.2.9.2.1</a>	Nil
	iii. Areas of Outstanding, or High and Very High, Natural Character in the Coastal Environment identified in <a href="#">Appendices 9.2.9.2.7</a> and <a href="#">9.2.9.2.8</a>	25m <sup>3</sup> /ha
	iv. Sites of Ecological Significance listed in Schedule A of <a href="#">Appendix 9.1.6.1</a>	Nil
	v. Important Ridgelines identified on the planning maps	Nil
	vi. Significant Feature SF8.1 Otākaro / Avon River - East	Nil

Advice note:

1. [Chapter 5](#) manages [earthworks](#) within identified hazard areas. [Chapter 4](#) contains provisions relating to [contaminated land](#). [Chapter 6](#) manages [earthworks](#) within [water body setbacks](#) and within, and adjacent to Ngā Wai.

**Table 10: Earthworks for the purpose of land repair**

	Column A Max. Volume (Cumulative)	Column B Max. depth (m)	Column C Max. depth of filling (m) [below ground level]	Column D Filling above ground level	Column E Setback from site boundary
a. Central City Mixed Use and Residential Zones (except the Residential Hills Precinct and Residential Large Lot Residential Zones, and the Stormwater Capacity Constraint Overlay), where a site or part of a site is not located in a Flood Management Area or a Flood Ponding Area as shown on the planning maps.	50m <sup>3</sup> /site	0.6	0.6	0.3m max. depth;	Setback from site boundary must be equivalent to or greater than the depth of earthworks.
b. Rural Zones (except the Rural Banks Peninsula Zone), where a site or part of a site is not located in a Flood Management Area or Flood Ponding Area as shown on the planning maps.	2000m <sup>3</sup> /site	0.6	0.6	0.3m max. depth;	
c. Land repair works in any zone listed in this table involving soil mixing, aggregate piers, or grout.	Not more than 10m <sup>3</sup> of grout per site	1.0	1.0	0.3m max. depth.	

### 8.9.2.2 Controlled activities

- a. The activities listed below are controlled activities if they meet the relevant standards set out in the following table.
- b. Discretion to impose conditions is restricted to the matters over which control is reserved, as set out in the following table.

	Activity	Activity specific standards	Matters of control
<b>C1</b>	<p><b>Earthworks</b> in the Industrial General Zone (North Belfast) that are between 10 and 20 metres from:</p> <ol style="list-style-type: none"> <li>a. the surveyed point of the <b>spring</b> identified on the Outline Development Plan in <a href="#">Appendix 16.8.5</a>; or</li> <li>b. any <b>spring</b> not identified on the <a href="#">Outline Development Plan</a> in <a href="#">Appendix 16.8.5</a>, and which is within the area identified as Stormwater Management Area 1 on the outline development plan but not within Lots 5, 6 and 7 DP 71209, in which case the setback shall be measured from the head or heads of the <b>spring</b> where visible.</li> </ol>	<ol style="list-style-type: none"> <li>a. Activity specific standards for P1 earthworks in <a href="#">Rule 8.9.2.1</a>.</li> </ol>	<ol style="list-style-type: none"> <li>a. Where the following are listed as matters of discretion, they are to be treated as matters of control:               <ol style="list-style-type: none"> <li>i. All matters in <a href="#">Rule 8.9.4</a>, except for <a href="#">Rule 8.9.4.9</a>;</li> <li>ii. <a href="#">Rule 8.7.4.6</a> (i); and</li> <li>iii. <a href="#">Rule 16.4.6.2.4</a></li> </ol> </li> </ol>

### 8.9.2.3 Restricted discretionary activities

- a. The activities listed below are restricted discretionary activities.
- b. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in [Rule 8.9.4](#), as set out in the following table.

Activity	Matters of discretion
<b>RD1</b>	<p>Any activity listed in <a href="#">Rule 8.9.2.1</a> P1 or <a href="#">Rule 8.9.2.2</a> C1 that does not meet any one or more of the activity standards.</p>

<b>RD2</b>	<p>a. Any activity listed in <a href="#">Rule 8.9.2.1</a> P2 that does not meet any one or more of the activity standards.</p> <p>b. Any applications arising from this rule shall not be publicly or limited notified.</p>	<p>a. <a href="#">Rule 8.9.4</a>,</p> <p>b. <a href="#">Rule 8.9.4.3</a>, and</p> <p>c. <a href="#">Rule 8.9.4.9</a>.</p>
<b>RD3</b>	<p><b>Earthworks</b> within the Stormwater Capacity Constraint Overlay</p>	<p>a. <a href="#">Rule 8.9.4.1</a>.</p> <p>b. <a href="#">Rule 8.9.4.3</a>, and</p> <p>c. <a href="#">Rule 8.9.4.9</a>.</p>
<b>RD4</b>	<p><b>Earthworks</b> within 20m of <b>coastal hazard mitigation works</b></p>	<p>a. <a href="#">Rule 8.9.4.1</a>,</p> <p>b. <a href="#">Rule 8.9.4.3</a>,</p> <p>c. <a href="#">Rule 8.9.4.4</a>,</p> <p>d. <a href="#">Rule 8.9.4.5</a>, and</p> <p>e. <a href="#">Rule 8.9.4.9</a>.</p>
<b>RD5</b>	<p>a. <b>Earthworks</b> within:</p> <p>i. a <b>Site of Ngāi Tahu Cultural Significance</b> identified in <a href="#">Schedule 9.5.6.1</a>; or</p> <p>ii. Kaitōrete Spit (ID 64) identified in <a href="#">Schedule 9.5.6.2</a>;</p> <p>b. except where listed as an exemption in <a href="#">Rule 8.9.3</a> b.</p> <p>c. RD5 does not apply to land in the Industrial General Zone (North Belfast).</p> <p>d. Any application arising from this rule need not be publicly notified, but shall be limited notified to the relevant rūnanga, and Heritage New Zealand Pouhere Taonga in respect of sites on the Heritage New Zealand List / Rārangī Korero (absent their written approval).</p>	<p>a. <a href="#">Rule 9.5.5.1</a></p>
<b>RD6</b>	<p>Within the <b>Central City</b>, any <b>earthworks</b> within an ‘Overlay’ identified in Table 9 to <a href="#">Rule 8.9.2.1</a> that exceeds the specified volume limit.</p>	<p>a. <a href="#">Rule 8.9.4.1</a>,</p> <p>b. <a href="#">Rule 8.9.4.3</a>,</p> <p>c. <a href="#">Rule 8.9.4.6</a>,</p> <p>d. <a href="#">Rule 8.9.4.7</a>,</p> <p>e. <a href="#">Rule 8.9.4.8</a>, and</p> <p>f. <a href="#">Rule 8.9.4.9</a>.</p>
<b>RD7</b>	<p>a. Any <b>earthworks</b> in the Industrial General Zone (North Belfast) within 10 metres of:</p> <p>i. the surveyed point of the <b>spring</b> identified on the Outline Development Plan in <a href="#">Appendix 16.8.5</a>; or</p> <p>ii. any <b>spring</b> not identified on the Outline Development Plan in <a href="#">Appendix 16.8.5</a>, and which is within the area identified as Stormwater Management Area 1 on the <b>outline development plan</b> but not within Lots 5, 6 and 7 DP 71209, in which case the setback shall be measured from the head or heads of the <b>spring</b> where visible.</p>	<p>a. All matters in <a href="#">Rule 8.9.4</a>, except for <a href="#">Rule 8.9.4.9</a>;</p> <p>b. <a href="#">Rule 8.8.14</a>; and</p> <p>c. <a href="#">Rule 16.4.6.2.4</a>.</p>

#### 8.9.2.4 Discretionary activities - earthworks

- a. The activities listed below are discretionary activities.

<b>D1</b>	Other than in the <b>Central City</b> , any <b>earthworks</b> within an Overlay identified in Table 9 to <b>Rule 8.9.2.1</b> that exceeds the specified volume limit.
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#### 8.9.2.5 Non-complying activities - earthworks

- a. The activities listed below are non-complying activities.

<b>NC1</b>	Any activity that does not meet any one or more of the activity standards in <b>Rule 8.9.2.1</b> P3, P4 or P5.
<b>NC2</b>	The modification, alteration or removal of sand dunes and vegetation on sand dunes within 50 metres of Mean High Water Springs.

#### 8.9.2.6 Prohibited activities — earthworks

- a. The activities listed below are prohibited activities.

<b>PR1</b>	<b>Quarrying activities</b> within the <b>Central City</b>
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#### 8.9.3 Exemptions

- a. The following **earthworks** are exempt from the activity standards set out in **Rule 8.9.2.1** P1 and P2:
- i. Holes for posts, trees or other plants;
  - ii. **Excavation** for any wells where any necessary resource consents or building consents have been obtained;
  - iii. Deposition of spoil from drain clearance work within the **site** the drain crosses; or
  - iv. Any **earthworks** subject to an **approved building** consent where they occur wholly within the footprint of the **building**. For the purposes of this rule, the footprint of the **building** extends 1.8m from the outer edge of the wall. This exemption does not apply to **earthworks** associated with retaining walls/structures which are not required for the structural support of the **principal building** on the **site** or **adjoining site**.
  - v. **Earthworks** associated with the maintenance, upgrade or construction of hazard mitigation and protection works where undertaken by the **Council**, the Canterbury Regional Council, the Crown or undertaken in accordance with a rule in **Chapter 5**.
  - vi. Any **earthworks** involving:
    - A. the establishment, repair or replacement of any **utility** permitted in **Chapter 11** of this Plan (apart from the establishment of stormwater management **utilities** which are permitted by

- Chapter 11 Utilities and Energy and not undertaken by the Council or a network utility operator); or
- B. established and/or consented utilities; or
  - C. the maintenance of existing drains or ponds, including within road reserves.
- vii. Any test pits or boreholes necessary as part of a geotechnical assessment or contaminated land assessment where the ground is reinstated to existing levels within 48 hours.
  - viii. Outside the Central City, any excavation for interment within the Special Purpose (Cemetery) zone, urupa, or any legally established private cemetery or pet cemetery.
  - ix. Cultivation and cropping activities in Rural zones, including in relation to the erection of structures not requiring building consent.
  - x. Maintenance and operational earthworks at Bromley Sewage Ponds.
  - xi. The construction of fire ponds, stock tracks and vehicle access tracks in Rural zones. Rule 9.1.4.1 - 9.1.4.4 of Chapter 9 are of particular relevance.
  - xii. Earthworks undertaken by Council or Canterbury Regional Council to maintain or upgrade their own parks and reserves. **This exemption does not apply to earthworks in public spaces within 5 metres of a heritage item or above the volumes contained in Table 9 in a heritage setting which are subject to activity standard 8.9.2.1 P1 i.**
  - xiii. Any filling or excavation for the maintenance or establishment of farm access tracks provided the finished ground level is maintained within 200mm of natural ground level, and that filling and excavation is limited to a total of not more than 100m<sup>3</sup>/ha.
  - xiv. Outside the Central City, composting or silage making.
  - xv. Earthworks that are required for the removal of contaminants regulated by the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
  - xvi. Within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, earthworks associated with indigenous vegetation clearance, that meets activity specific standard a. i. for Rule 9.1.4.1 P1, are exempt only from meeting the specified volume limit for the relevant 'Overlay' identified in Table 9 to Rule 8.9.2.1.
  - xvii. Earthworks to a depth no greater than 0.6 metres in the Industrial General Zone (North Belfast).
- b. The following earthworks are exempt from the provisions of Rule 8.9.2.3 RD5:
- i. earthworks for post holes for fencing, planting holes for trees and plants, the maintenance of existing farm tracks and existing farm ponds, the cultivation of existing pasture, or cropping; or
  - ii. earthworks for offal pits within Kaitōrete Spit (ID 64) identified in Schedule 9.5.6.2 which do not exceed dimensions of 2 metres x 2 metres x 1.5 metres.

## 8.9.4 Matters of discretion

### 8.9.4.1 Nuisance

- a. The extent to which any potential dust nuisance, sedimentation and water or wind erosion effects can be avoided or mitigated.
- b. The extent to which effects on neighbouring properties, and on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks can be avoided or mitigated.
- c. The extent to which any potential changes to the patterns of surface drainage or subsoil drains can be avoided or mitigated if those changes would put the site or adjoining land at higher risk of drainage problems, inundation run-off, flooding, or raise that site's or adjoining land's water table.
- d. Whether any change in ground level would be likely to impact on trees in terms of access to water and drainage.
- e. The extent of any potential adverse effects on the quality of groundwater and whether any such can be avoided or mitigated.
- f. The extent to which any adverse effects from noise and vibration associated with earthworks and land improvement can be avoided or mitigated, and the effectiveness of any methods to mitigate such effects.
- g. The extent to which earthworks in the Open Space Avon River Precinct (Te Papa Ōtākaro) Zone have an adverse effect on the Avon River and its margins.

### 8.9.4.2 Resources and assets

- a. Whether versatile soils would be lost to production, or have their physical and biochemical qualities compromised.
- b. In relation to National grid transmission lines and electricity distribution lines
  - i. the risk to the structural integrity of the National grid or electricity distribution lines;
  - ii. compliance with NZECP 34:2001;
  - iii. any implications arising from technical advice provided by the utility operator;
  - iv. the effects on the ability of the utility operator to operate and upgrade and develop the National grid and/or electricity distribution lines, including on-going safe and direct access; and
  - v. the effects on the ability of the utility operator to operate, upgrade and develop its utility, including on-going safe and direct access.

### 8.9.4.3 Land stability

- a. Whether the earthworks affect the stability of adjoining land and its susceptibility to subsidence or erosion upon excavation taking place.



- b. The extent of any alteration to natural **ground levels** in the vicinity and, consequently, to the **height** and bulk of **buildings** that may be erected on the **site**.
- c. Whether the **earthworks** affect the future development potential of land for permitted activities, taking account of the nature of **filling** material proposed and the degree of compaction.

#### **8.9.4.4 Coastal hazard**

- a. Whether the **earthworks** affect the risk to life, property and the environment posed by coastal hazards.
- b. The extent to which **earthworks** would remedy or mitigate coastal hazard or be compatible with existing mitigation works or structures.
- c. Whether or not the work would be carried out under the supervision of either a Chartered Professional Engineer with experience in coastal processes or a professional Engineering Geologist (IPENZ registered).
- d. The extent to which the **earthworks** would protect structures, **buildings** and their occupants.
- e. The extent to which the proposed **earthworks** will protect the sandy beach, dunes or rocky shore from further damage, such as from coastal erosion or seawater inundation in a storm event, or remediate it from previous damage.
- f. The extent to which the **earthworks** will affect the nature, form and resilience of the sandy beach, dunes or rocky shoreline.
- g. Whether the **earthworks** will result in increased erosion of the sand dunes and land to the landward side of the dunes.

#### **8.9.4.5 Quarries**

- a. Whether the final rehabilitated landform is appropriate having particular regard to:
  - i. the location, gradient and depth of the **quarry** pit;
  - ii. the availability of **clean fill** material and consequent timeframes for rehabilitation;
  - iii. any other adverse effects of rehabilitation including traffic, dust, risk to groundwater, drainage and landscape effects.

#### **8.9.4.6 Amenity**

- a. The level of alteration to existing **ground levels** and the degree to which the resultant levels are consistent with the surrounding environment.
- b. The ~~resultant~~ effects that result from the **earthworks** in terms of visual amenity, landscape context and character, **heritage values**, views, outlook, overlooking and privacy.

#### **8.9.4.7 Indigenous biodiversity, natural character, and landscape features.**

- a. The relevant matters of discretion in [Rules 9.1.5.2, 9.2.8.1, 9.2.8.3](#) and [6.6.7](#).

#### **8.9.4.8 Historic Heritage**

- a. The relevant matters of discretion in [Rule 9.3.6.1](#).

#### **8.9.4.9 Sites of Ngāi Tahu Cultural Significance**

- a. Where the **earthworks** are within a **Site of Ngāi Tahu Cultural Significance** identified in [Appendix 9.5.6](#), the matters set out in [Rule 9.5.5](#) as relevant to the site classification:
- i. [Rule 9.5.5.1](#) - Wāhi Tapu / Wāhi Taonga, Mahaanui Iwi Management Plan Silent Files and Kaitōrete Spit;
  - ii. [Rule 9.5.5.2](#) - Ngā Tūranga Tūpuna; and
  - iii. [Rule 9.5.5.3](#) - Ngā Wai.

#### **8.9.4.10 Coastal environment**

- a. The relevant matters of discretion in [Rule 9.6.3.1](#) – Effects of activities on the coastal environment.

### **8.9A Rules — Development and Activities in Waste Water Constraint Areas**

#### **8.9A.1 Permitted activities**

- a. **The activities listed below are permitted activities where the activity is located in the area shown on the planning maps as Waste Water Constraint Areas.**

<b><u>Activity</u></b>		<b><u>Activity specific standards</u></b>
<b><u>P1</u></b>	<b><u>New activities or the expansion of activities beyond those that existed prior to 17 March 2023 that do not discharge wastewater into the vacuum sewer.</u></b>	<b><u>Nil</u></b>

#### **8.9A.2 Controlled activities**

- a. **There are no controlled activities.**

#### **8.9A.3 Restricted discretionary activities**

- a. The activities listed below are restricted discretionary activities where the activity is located in the area shown on the planning maps as Waste Water Constraint Areas.

<u>Activity</u>		<u>The Council's discretion shall be limited to the following matters:</u>
<u>RD1</u>	<p>a. <u>New activities or the expansion of activities beyond those that existed prior to 17 March 2023 that discharge wastewater into the vacuum sewer.</u></p> <p>b. <u>Any resource consent application shall not be limited or publicly notified.</u></p>	<p>a. <u>Capacity in the relevant vacuum sewer system</u></p> <p>b. <u>Effects of the proposed development on the capacity and operation of the vacuum sewer system and adjoining wastewater systems</u></p>

#### **8.9A.4 Discretionary activities**

There are no discretionary activities.

#### **8.9A.5 Non-complying activities**

There are no non-complying activities.

#### **8.9A.6 Prohibited activities**

There are no prohibited activities.